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GULF ISLANDS NATIONAL SEASHORE

LAND PROTECTION PLAN

RECOMMENDED:

F. C. [Signature]
Superintendent

7/13/84
Date

APPROVED:

[Signature]
Regional Director

7/19/84
Date

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SUMMARY
LAND PROTECTION PLAN

1. Current Ownership

Federal (NPS Jurisdiction)	93,907.30 acres
(Other Federal)	4,986.51
State or Local	22,249.00
Private (Wholly owned)	1,069.47
(Undivided partial interest)	137.74

2. Number of Tracts Remaining to be Protected 43

3. Methods of Protection Proposed

Fee acquisition (by NPS, includes transfer of other Federal lands)	8,224.83 acres
(by others)	N/A
Areas suitable for sellback or leaseback	N/A
Less-than-fee acquisition	N/A
Zoning	N/A
Cooperative Agreement	N/A
Regulation	N/A
Adequately Protected (no action)	20,080.65

4. Statutory Acreage Ceiling N/A

5. Funding Status (as of July 31, 1983)

Authorized acquisition ceiling	\$22,462,000
Appropriated to date	22,285,220
Obligated to date	17,983,247
Unobligated balance	4,301,973

6. Top Priority

Privately owned tracts within and adjacent to designated wilderness on Horn Island	469.47 acres
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7. Special Considerations N/A

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Land Protection Plan
Gulf Islands National Seashore

I. INTRODUCTION

A. Summary of Departmental and National Park Service Land Protection Policies

In May 1982, the Department of the Interior published in the Federal Register a policy statement for use of the Federal portion of the Land and Water Conservation Fund which requires each agency responsibility for land protection in Federally administered areas to:

- Identify what land or interests in land need to be in Federal ownership to achieve management unit purposes consistent with public objectives in the unit.
- To the maximum extent practical, use cost-effective alternatives to direct Federal purchase of private lands and, when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.
- Cooperate with landowners, other Federal agencies, State and local governments, and the private sector to manage land for public use or protect it for resource conservation.
- Formulate, or revise as necessary, plans for land acquisition and resource use or protection to assure that socio-cultural impacts are considered and that the most outstanding areas are adequately managed.

In response to this policy, the National Park Service has prepared a Land Protection Plan for Gulf Islands National Seashore. The purpose of the plan is to identify land protection alternatives, to assure the protection of the natural, recreational, scenic, cultural, or other significant resources, and to provide for adequate visitor use. The plan has been prepared in compliance with relevant legislation, other Congressional guidelines, Executive Orders, and Departmental and National Park Service policies.

The environmental consequences of the Land Protection Plan have been covered under the Final Environmental Statement for the General Management Plan (FES 78-18).

B. Major Issues

The Land Protection Plan addresses the minimum actions necessary to assure resource protection, provide visitor services, carry out management responsibilities, and provide essential public access to and use of Federal lands within park boundaries. The plan will also establish priorities for these

actions. Requests for an expenditure of appropriated funds will be based on the approved plan. Nine tracts totaling 469.47 acres and 4 tracts with undivided partial interests in 137.74 acres on Horn Island constitute the major concern of this plan. Privately-owned and State-owned submerged lands are also addressed.

C. The Plan as a Guide

This plan does not constitute an offer to purchase land or interests in land. It will generally guide subsequent activities, subject to the availability of funds and other constraints. This plan does not diminish the rights of non-Federal landowners.

II. PURPOSE OF THE SEASHORE AND RESOURCES TO BE PROTECTED

A. SEASHORE PURPOSE

Public Law 91-660, enacted January 8, 1971, authorized the establishment of Gulf Islands National Seashore "... to preserve for public use and enjoyment certain areas possessing outstanding natural, historic, and recreational values ..."

B. SIGNIFICANCE OF THE SEASHORE AND ITS RESOURCES

The Seashore is situated in the northeastern portion of the Gulf of Mexico and includes a widely spaced chain of barrier islands extending nearly 150 miles from West Ship Island in Mississippi to the eastern end of Santa Rosa Island in Florida. Other islands in the Seashore include Horn, Petit Bois and East Ship Islands in Mississippi and a section of Perdido Key in Florida. The Seashore also includes mainland tracts at Pensacola Forts and Naval Live Oaks Reservation near Pensacola, Florida, and Davis Bayou, adjacent to Ocean Springs, Mississippi.

The Seashore's most outstanding recreational resources are its wide, gently sloping beaches of unusually fine white sand and clear blue-green water, coupled with a mild climate.

The Mississippi islands within the Seashore provide a combined total of nearly 60 miles of sandy shoreline—including both the Gulf and Sound sides. These offshore barrier islands constitute virtually all of the naturally maintained sandy shoreline on Mississippi's Gulf Coast, since most mainland sandy beaches are maintained by periodic dredging.

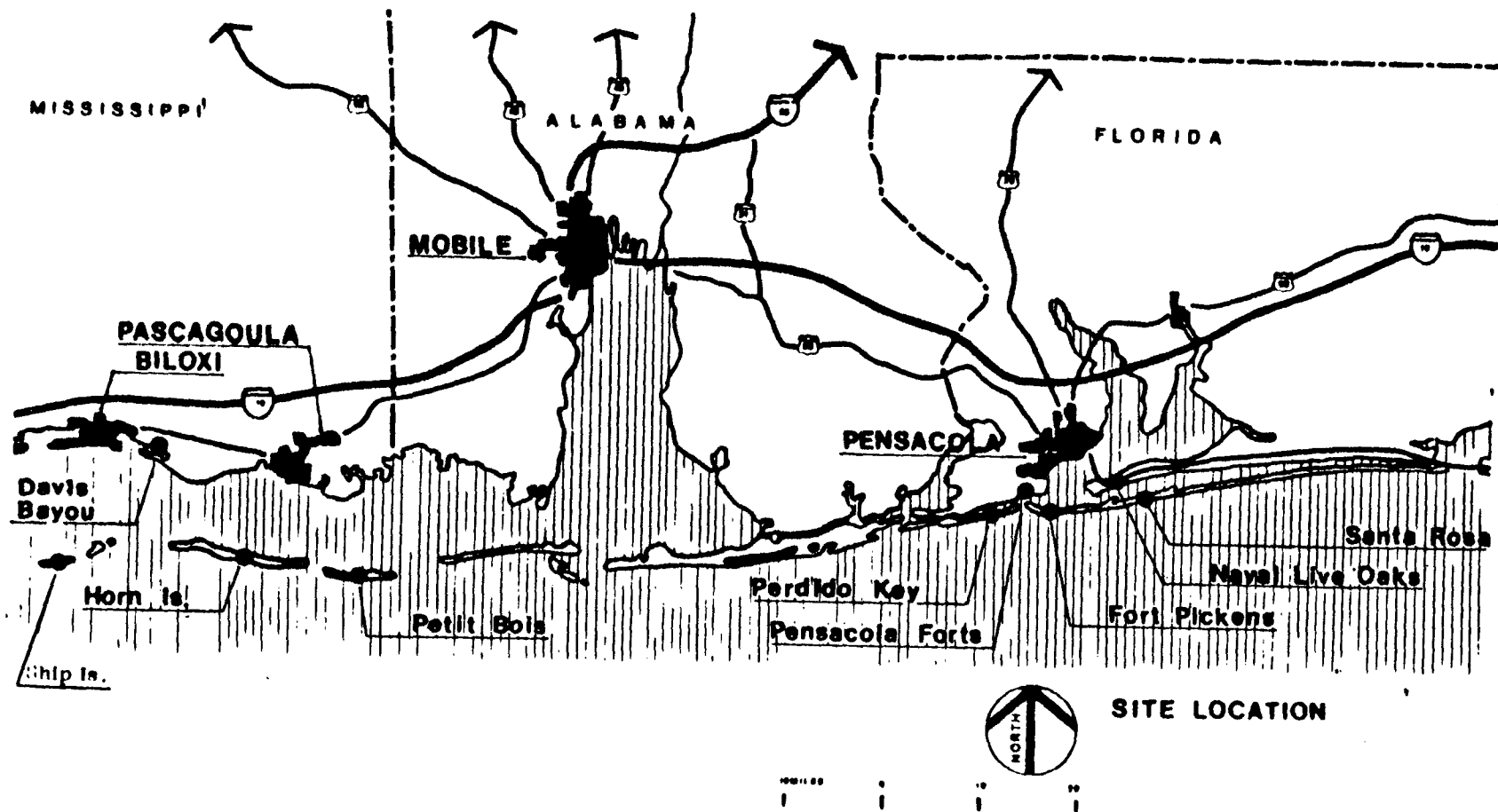
Units of the Seashore in Florida also provide substantial lengths of sandy shoreline—over 40 miles facing the Gulf and about the same amount facing inland waters. A long history of accessibility of all these units by private auto has resulted in substantial private development as well as recreational use on lands adjacent to certain units, but still long stretches of the islands offer undeveloped, unlittered solitude and extremely attractive, gently sloping Gulf-side beaches.

Although substantial lengths of the United States' Gulf Coast are fringed by barrier islands, the islands in the Seashore are significant in a variety of ways:

Their east-west orientation, ample supplies of reworked sand, and susceptibility to hurricane attack combine to make them extremely dynamic, constantly changing environments.

The isolated nature of the Mississippi islands provides habitats and ecosystems which will remain undisturbed by man if properly cared for and can be natural laboratories for observing the impact of relatively rapid natural changes on populations of animals and plants, both genetics and behavior.

This same isolation has already meant a degree of protection for a variety of wildlife species which, although not necessarily rare, are facing rapid habitat reduction in other parts of their range or which are especially intolerant of human presence.



SITE LOCATION

Santa Rosa Island provides a fine opportunity for geological interpretation. The Seashore includes important portions of the historic coastal defense system of the United States, covering the period from 1796 through World War II.

Non-Federal lands within the Seashore pose no concerns with either Federal or State listed or candidate rare, endangered, or threatened plant and animal species.

Naval Live Oaks Reservation is particularly significant in the conservation history of the United States. In 1828, President John Quincy Adams set aside a reserve as a part of the first federal timber conservation program to conserve the live oaks then used extensively for building naval vessels. The Naval Live Oaks Reservation is all that remains of the original reserve.

Specific areas within the Seashore which are listed on, or in process of nomination to, the National Register of Historic Places are:

- Perdido Key fortifications
- Lighthouse Complex, West Ship Island
- Fort Massachusetts, West Ship Island
- French Warehouse, East Ship Island
- Pensacola Forts (entire area under National Park Service jurisdiction)
- Fort Pickens (western third of unit)
- Naval Live Oaks Reservation
- Pensacola Lighthouse and keeper's quarters, Pensacola Forts unit

C. Special Legislative, Administrative and Congressional Directives and Authorities

The authorizing legislation (P.L. 91-660) provides for the acquisition of lands, waters, or interests therein within the boundaries of the Seashore by donation, by purchase with donated or appropriated funds, or by exchange. Property owned by a state or any of its political subdivisions can, however, be acquired only with the consent of the owner. Any Federal property within the boundaries may be transferred to the Department of the Interior, with the concurrence of the administering agency. The authorizing legislation, in Section 7, contained a transfer of the Horn Island and Petit Bois National Wildlife Refuges to the Seashore.

Owners of improved residential property, involving year-round dwellings whose construction began prior to January 1, 1967, are permitted to retain a right of use and occupancy for life or for a period of 25 years.

Rights-of-way or easements for the transportation of oil and gas extracted from locations outside the Seashore shall remain in effect, notwithstanding the acquisition of any lands or waters in which such easements or rights-of-way exist. The only such easements within the boundaries are located off the east end of Horn Island, Mississippi. There is also an authorization for the granting of additional oil and gas transportation easements, subject to protective regulations.

The original legislation authorized acquisition of not more than 135 acres of land outside the boundaries of the Seashore in the area of Biloxi-Gulfport, Mississippi. This land was to be used for an administrative site. This authorization was amended by P.L. 92-275 (April 20, 1972) to increase the authorized size of this site to 400 acres, thereby allowing acquisition, by donation, of the former Magnolia State Park at Ocean Springs. The authorized area of this site was increased to 1,000 acres by P.L. 95-625 (November 10, 1978) so that the Marsh Point area could be added to the Davis Bayou unit. Although technically not boundary changes, these acreage increases are the only change in areas authorized for the Seashore since enactment of the original legislation.

The enabling legislation for the Seashore and subsequent amendments contained the following ceilings for land acquisition and development:

<u>Public Law</u>	<u>Date</u>	<u>Land Acquisition</u>	<u>Development</u>
91-660	Jan. 8, 1971	\$3,120,000	\$14,779,000
92-275	Apr. 20, 1972	3,462,000	17,774,000
94-578	Oct. 21, 1976	22,162,000	No change
95-628	Nov. 10, 1978	22,162,000	24,224,000

In addition to the statutory ceiling actions listed above, Public Law 95-628 also authorized the expenditure of an additional \$300,000 for the acquisition of the Marsh Point area. The specific authorization, however, was not a general increase in the ceiling for Gulf Islands.

D. LAND CLASSIFICATION

Seashore lands are classified in order to designate where various strategies for management and use will best fulfill management objectives and achieve the purpose of the Seashore. Classification is based on the inherent nature of Seashore resources and the suitability of the land for the proposed uses and management. The National Park Service land classification system has flexibility which permits adaptation to many different park situations.

In the Seashore, four major land classification zones—natural zone, historic zone, development zone, and special-use zone have been utilized. The natural zone has been further divided into four subzones—wilderness, environmental protection, outstanding natural feature, and natural environment—to indicate in greater detail how the land or water will be managed.

1. Natural Zone (132,667 acres)

The natural zone has been divided into four subzones, all of which exist in a relatively natural state and will remain largely unaltered by human activity, except for approved developments essential for management, use, or appreciation of the Seashore.

Wilderness Subzone (5,116 acres)

These areas are managed to perpetuate an undisturbed environment that possesses an atmosphere of solitude as well as negligible evidence of resource impairment. Some recreation activities will be permitted in designated wilderness. Congress has directed that lands designated as potential wilderness are to be managed "insofar as practicable as wilderness, until such time as said lands are designated as wilderness."

designated areas - this classification encompasses all of Horn and Petit Bois Islands.

Environmental Protection Subzone (1,240 acres)

Lands and waters possessing particular value as wildlife habitat or for research are designated as environmental protection subzone areas. These areas are to be used for research, protection, and interpretation of the outstanding natural features which dominate the environment. Only minimal development is planned, permitting visitors to interact with the resource without interfering with ecological values.

designated areas - most of East Ship Island is classified as an environmental protection subzone area. A portion of the Naval Live Oaks Reservation unit dominated by a sand pine community is also designated in this subzone. All of the Marsh Point lands (south of Davis Bayou) are included in this classification.

Outstanding Natural Feature Subzone (875 acres)

Lands with geological and/or biological features which possess unusual intrinsic values or uniqueness. These areas are representative of the Seashore's principal attractions. Development in these areas will be minimal and natural components will continue to dominate the environment.

designated areas - most of West Ship Island, and land east of the day-use area within the Santa Rosa Island unit.

Natural Environment Subzone (125,436 acres)

These lands and waters will be managed to permit environmentally compatible recreational activities which might cause limited disruption of the natural environment. Development will not dominate the environment as in the development zone, but will be integrated into it.

designated areas - most of the eastern portion of the Fort Pickens unit; the Santa Rosa Island unit, west of the day-use area; the Okaloosa area; and Perdido Key are designated in this category. These are the principal beach recreation attractions of the Florida District of the Seashore. A small area on western East Ship Island is classified as a natural environment area to accommodate a possible minimum facility camping area. Natural environment subzone designation also includes the day-use and camping areas on West Ship Island. The undeveloped portion of Davis Bayou is classified as natural environment because of the high-density recreation activities within the remainder of the unit. All Seashore submerged lands up to the

mean low-tide line (approximately 120,458 acres) are also being classed as natural environment.

2. Historic Zone (2,110 acres)

These areas are managed primarily to preserve and interpret significant historic structures as well as to maintain the historic scene.

designated areas -- In Mississippi there are two areas designated as historic zones; one on West Ship Island, and one on East Ship Island. The historic zone on West Ship Island includes Fort Massachusetts, the lighthouse complex, and all development in a wide strip extending from the Gulf to the Sound side of the island. The historic zone on East Ship Island incorporates the site of the French warehouse. In Florida there are four historic zones--the entire Pensacola Forts unit currently under National Park Service jurisdiction (located within the Pensacola Naval Air Station), most of the Fort Pickens unit west of the Coast Guard Station, most of the Naval Live Oaks Reservation unit, and a small site on the eastern tip of Perdido Key.

3. Development Zone (496 acres)

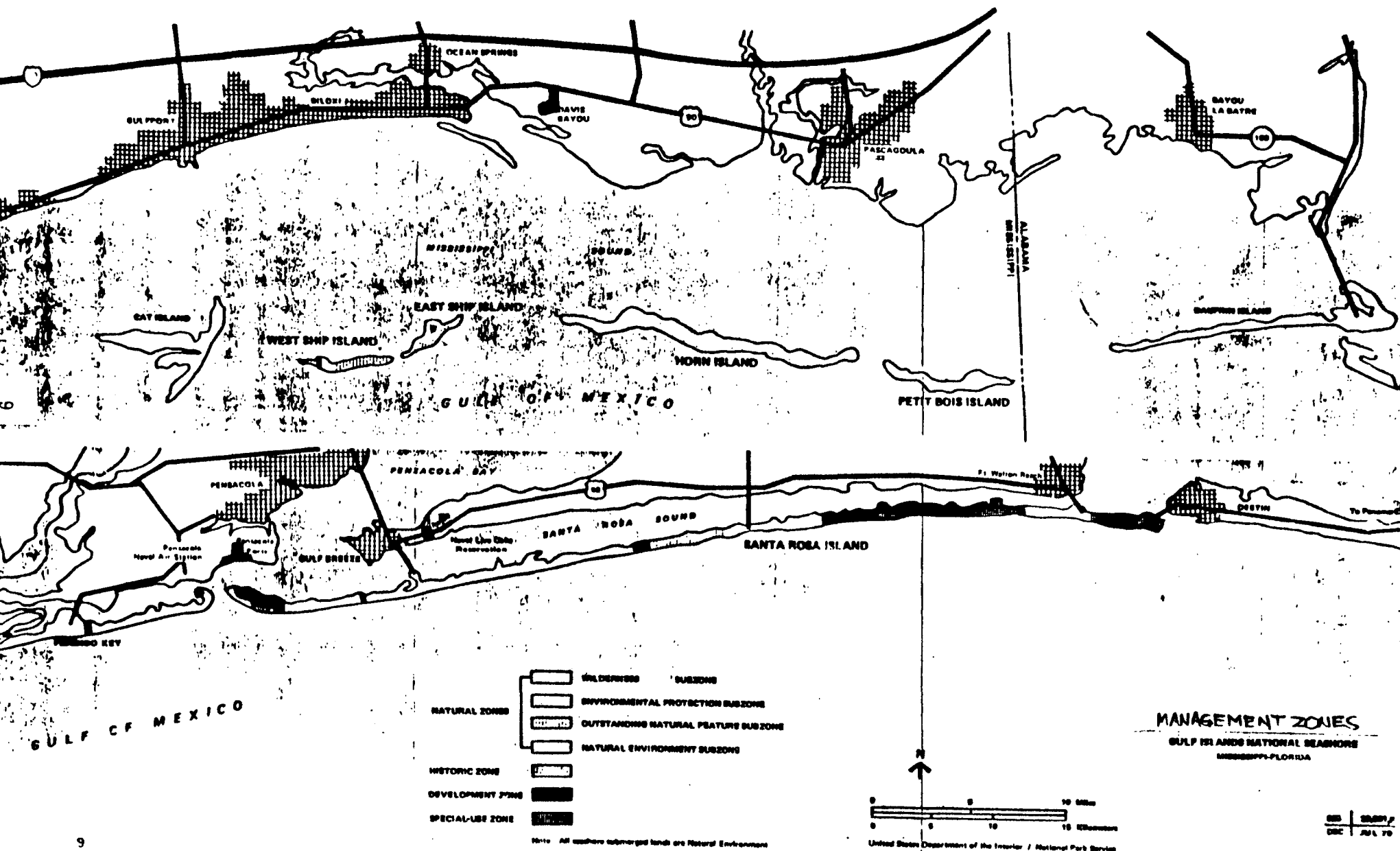
This zone includes lands and waters where nonhistoric park development and intensive use substantially alter the natural environment. This zone is managed to provide and maintain development that serves the needs of park management and relatively large numbers of visitors.

designated areas - development zones include the three major beach recreational use areas in the Florida District--Perdido Key, Fort Pickens, and the Santa Rosa Island unit. Approximately half of Davis Bayou will continue to be utilized for intensive day and overnight use facilities and is classified as a development zone. A small development zone will be located in the Naval Live Oaks Reservation unit to accommodate the visitor center and other developments.

4. Special-Use Zone (4,502 acres)

This category is used on lands not suited for any other classification by virtue of special legislative provisions and other valid prior commitments.

designated areas - all of the Navarre Beach and Fort Walton Beach units which are included by legislation in the Seashore will remain under jurisdiction of Eglin Air Force Base until no longer needed for defense purposes. Most of the land of the Pensacola Forts unit remains under jurisdiction of the Department of the Navy.



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III. NON-FEDERAL OWNERSHIP AND USES

A. DESCRIPTION OF OWNERSHIPS NOT UNDER NPS ADMINISTRATION

This section of the Land Protection Plan deals with tracts within the boundaries which are privately owned, are owned by a State or political subdivision, or are Federally owned but currently administered by agencies other than the National Park Service.

1. Mississippi District - Fastlands

Tracts 01-104 (42.00 acres) and 01-105 (50.00 acres). These tracts are Federal land administered by the Bureau of Land Management. They are on West Ship Island and are immediately east (01-104) and west (01-105) of the NPS developments near Fort Massachusetts. The foundation of a historic lighthouse is within tract 01-104.

Tracts 02-101 (1.84 acres), 02-103 (9.18 acres), and 02-104 (15.61 acres). These tracts are on the north shore of Horn Island, in the vicinity of Big Lagoon. They are privately owned by Frank O'Rourke (02-101) and OKC Dredging (02-103 and 104) and consist of a mixture of marsh, low dunes, and pine forest.

Tract 02-115 (39.70 acres). This is an inland tract on Horn Island, just south of Big Lagoon, and is owned by Myratt Button, et al. The terrain is marsh, dune, and forest.

Tract 02-116 (6.43 acres). This tract is on the south shore of Horn Island, adjoining the south boundary of tract 02-115. The owner is Ralph Hopkins and the land consists of beach and dunes.

Tract 02-147 (5.91 acres). This is an undivided one-half interest in a tract on Horn Island, southwest of Big Lagoon, owned by Jardel, Inc. It is immediately to the west of tracts 02-115 and 02-116. The other one-half interest in this tract is Federally owned. The land consists of marsh, low dunes, and beach.

Tracts 02-163 (52.42 acres) and 02-164 (18.30 acres). These tracts extend from the north to south shores of Horn Island, in the Big Lagoon area. Tract 02-164 is a very narrow strip, while tract 02-163 is much wider. The total width of the two tracts is a quarter of a mile. Both include marsh, dunes, and forest. The owners are Martha Ann Curtis (02-163) and Charles Green (02-164).

Tract 02-166 (78.97 acres). This is an undivided one-half interest in a tract on the south shore of Horn Island, southeast of Big Lagoon. The owner of this interest is J. S. Delmas, et al, while the remainder is Federally owned. The terrain is marsh, dunes, and pine forest.

Tract 02-120 (257.12 acres). This tract is primarily on the north shore of Horn Island, between Big Lagoon and the ranger station, but also has a quarter mile wide corridor extending across the island to the south shore. The tract contains ponds and marsh, with some dunes near the north and south shores. The owner is OKC Dredging.

Tract 02-121 (68.87 acres). This tract adjoins and is similar in character to tract 02-120. It extends from the interior of the island to the south shore. The owner is Ralph Hopkins.

Tracts 02-149 and 02-152. Each of these tracts is an undivided one-seventh interest in a 6.43 acre tract near the east tip of Horn Island. The owners are Armand Weilbacher (02-149) and Jardel, Inc. (02-152). The remaining five-sevenths interest is Federally owned. The nature of this tract changes with tides, currents, and storms, but the land never consists of more than a low, unvegetated sandspit and may at times be submerged.

Tract 03-142 (600.00 acres). This tract is the Marsh Point Area on the Mississippi mainland near Ocean Springs. It lies on the west end of the peninsula which separates Davis Bayou from the Mississippi Sound and is directly south of the Federally owned land of the Davis Bayou Area of the Seashore. It consists entirely of salt marsh at a very low elevation. The owner is William Rudolph.

2. Mississippi District - Submerged Lands

Tracts 02-137, 139, 140, 141, 142, 144, 145, 146, and 162. These tracts were formerly on land at the east tip of Horn Island, but erosion and movement of the island have left them submerged. No acreage figures are available for these tracts. Four tracts are Federally owned and are administered by the Bureau of Land Management (02-142, 02-145, 02-146) and the U.S. Fish and Wildlife Service (02-144). The remaining tracts are privately owned by Rodger Day, et al (02-137); W. W. Dibble, et al (02-139); Minerals Management, Inc. (02-140); Rena Ford, et al (02-141); and Arthur Baker, et al (02-162).

3. Florida District - Fastlands

Tract 05-111 (195.26 acres). This tract is in the central portion of the Perdido Key Area of the Seashore. It extends across the full width of the island and includes marsh and dunes. The land is Federally owned and administered by BLM.

Tract 05-106 (135.00 acres). This tract is the easternmost extension of Perdido Key and includes the area designated as the Perdido Key Historic District. It includes marshes, ponds, dunes, and pine scrub, as well as the remains of historic fortifications. Formerly U.S. Navy property, it is now under BLM administration.

Tract 05-139 (70.60 acres). This tract is an island which lies between the east tip of Perdido Key and the narrow channel of the Intracoastal Waterway. It consists largely of dredged material deposited during periodic maintenance dredging of the Waterway. The U. S. Army Corps of Engineers administers this tract.

Tract 05-108 (43.50 acres). This tract is administered by the U. S. Coast Guard and is the site of the Pensacola Lighthouse and the adjacent quarters, all of which are historic structures. It is within the Pensacola Naval Air Station and is west of Fort Barrancas.

Tracts 05-109 (31.50 acres) and 05-149 (173.94 acres). These are tracts administered by the U. S. Navy and adjacent to the Pensacola Ports tract administered by the NPS. Tract 05-109 is west of Fort Barrancas and contains some Navy developments. Tract 05-149 includes land on the bayfront south of Fort Barrancas, containing Navy facilities of primarily a recreational nature, and land east of both Fort Barrancas and the Advanced Redoubt, containing roads, Navy quarters, and a variety of other buildings.

Tract 06-113 (9.00 acres). This tract is the site of the former U. S. Coast Guard station on Santa Rosa Island, near Fort Pickens. It is now being occupied concurrently by the National Park Service and the U. S. Coast Guard, on the basis of a special use permit from the Coast Guard. Facilities include a historic building, a garage/utility building, and a boat dock.

Tract 07-108 (152.00 acres). This tract is the property of the State of Florida and is administered by the University of West Florida. It lies at the west end of the Santa Rosa Area of the Seashore, east of Pensacola Beach. The tract contains no developments and consists of marsh and dunes. The road and right-of-way which cross the southern portion of this tract are Federally owned and administered by the NPS.

Tracts 08-101 (767.68 acres) and 08-102 (2,499.70 acres). These tracts on Santa Rosa Island lie between the developed, county-administered areas of Navarre Beach and Fort Walton Beach (Okaloosa Island). They are Federally owned and are administered by the U. S. Air Force as part of the Eglin Air Force Base. An improved road extends the length of this area, approximately 13 miles long, and connects several sites at which the Air Force maintains test facilities. The property is not open to public use. The island in this area consists of dunes, marsh, and beaches, with scrub forest in some areas.

Tract 08-103 (17.00 acres). This tract on Santa Rosa Island lies in the midst of the developed area of Fort Walton Beach. The tract is Federal property, administered as part of Eglin Air Force Base. It is closed to the public for security reasons.

Tract 08-104 (951.33 acres). This tract lies at the extreme eastern end of Santa Rosa Island, east of the developed area of Fort Walton Beach (Okaloosa Island). The tract is Federal property, administered as a part of Eglin Air Force Base. Developments include a through highway, U. S. 98, several Air Force facilities, and a U. S. Coast Guard station. Public use is limited but some access to the beach is permitted by the Air Force. The property consists of dunes and beaches.

4. Florida District - Submerged Lands

Tract 06-118 (6,653.00 acres). This tract is the submerged lands surrounding the portion of Perdido Key which is within the Seashore. It involves the area on the Gulf side of the island, out one mile from shore, and the area on the north, or Big Lagoon, side between the island and the Intracoastal Waterway. This tract is the property of the State of Florida. The site of Fort McRee, once on the east end of Perdido Key but now submerged, is within this tract. Several tidal lagoons on the north shore of the island are included.

Tract 05-107 (37.00 acres). This submerged tract in Pensacola Bay adjoins the fastlands within the boundary of the Pensacola Forts Area (Pensacola Naval Air Station). This tract is owned by the State of Florida.

Tracts 08-106 (8,219.00 acres), 08-107 (4,206.00 acres), 08-108 (2,720.00 acres), and 08-109 (262.00 acres). These submerged tracts are on the north and south sides of the Eglin AFB properties on Santa Rosa Island. They are the property of the State of Florida. Tract 08-106 includes a number of small islands in Santa Rosa Sound which have been produced by the deposition of material dredged from the Intracoastal Waterway.

B. COMPATIBILITY OF EXISTING AND POTENTIAL USES

This section will discuss existing and potential uses by grouping like tracts, rather than examining individual tracts.

1. Mississippi District - Fastlands

a. The two BLM tracts on West Ship Island (01-104,105) are now being used and managed in a manner indistinguishable from the remainder of the island. Uses are general outdoor recreation and preservation of a natural environment. These uses are compatible with management plans for this area. Some facilities for administration and public use now close to Fort Massachusetts are slated to be relocated to these tracts.

b. No developments are present on any of the privately owned tracts on Horn Island. Since it is not possible for the public to identify these tracts (see pp. 8 and 9) on the ground, they are lightly used for public recreation in the same manner as adjoining NPS lands. Public Law 95-625 established the Gulf Islands Wilderness in 1978 and designated all lands then Federally owned on Horn and Petit Bois Islands as wilderness, with the exception of a small exclusion at the Horn Island ranger station. All non-Federal lands were designated as potential wilderness additions, to be designated as wilderness upon their acquisition. Since these privately owned tracts are generally sizable, there is some potential for their development for residential or commercial uses. Such uses would, of course, be incompatible with the concept of wilderness and would adversely impact not only these lands but adjoining NPS lands.

c. The privately-owned Marsh Point area (Tract 03-142) is undeveloped natural environment. The addition of this area to the Seashore was proposed in order to protect the view from the Davis Bayou Area toward the Mississippi Sound. Development of any type on this tract would be incompatible with that purpose. It is uncertain whether there is any potential for development of the Marsh Point tract, since the entire area is wetlands.

2. Mississippi District - Submerged Lands

a. The submerged tracts off the east end of Horn Island are, of course, not developed and are not recognizable on site. Current uses for sport and commercial fishing and water-based recreation are identical to the use of other waters within the boundaries.

3. Florida District - Fastlands

- a. The BLM tracts on Perdido Key (05-106,111) are managed in the same manner as adjoining NPS lands. General public recreation and preservation of natural and cultural features are the objectives of management plans for these tracts. As long as they remain in Federal ownership, use will not be incompatible with NPS objectives.
- b. The spoil island administered by the Corps of Engineers off the east end of Perdido Key (Tract 05-139) is used for public recreation and as a continuing location for the deposition of dredged material. These activities are compatible with management plans, and it appears that there is little potential for any change in use.
- c. Tract 05-108, the Pensacola Lighthouse area administered by the U.S. Coast Guard, is generally being managed in a manner which preserves its historic resources, which would be the objective under NPS administration.
- d. The U. S. Navy lands adjoining the Pensacola Forts (Tracts 05-109, 149) are used for a variety of purposes which have no significant adverse impact on the historic resources of the forts or visitor use of them. The only potential uses for these lands which could be incompatible with NPS objectives would be large-scale industrial type facilities close to the forts or structures of any type built on the Pensacola Bay shoreline which would obstruct the view from Fort Barrancas to the bay.
- e. The U. S. Coast Guard Station on Santa Rosa Island (Tract 06-113) is now being used by the NPS for office and visitor contact functions. Some Coast Guard operations remain in an adjacent building but are scheduled to be moved to a new USCG station at the Naval Air Station within the near future. Long-range NPS plans call for use of this land and its facilities for administrative and visitor contact purposes.
- f. The University of West Florida property (Tract 07-108) is not developed and is used for public recreation at the present time. Most of this recreation is compatible with NPS objectives, but largely uncontrolled use of off-road vehicles is damaging some natural features. The University is considering several long-term alternatives for use of this land, including University recreational facilities, a research facility, or a convention/meeting facility. Properly planned, none of these alternatives would be incompatible with NPS objectives.
- g. The Santa Rosa Island properties administered by Eglin Air Force Base (Tracts 08-101, 102, 103, 104) are now used primarily for military purposes. The nature of this use is such that public recreational activities cannot be permitted on most of this land. However, the basic natural resources are being preserved while under Air Force control and, with the exception of 08-103, will be suitable for NPS management purposes should these tracts ever become surplus to Air Force needs.-

4. Florida District - Submerged Lands

- a. Although wide in extent, the non-Federal submerged lands surrounding the land areas of the Seashore in Florida are generally similar. All are the pro-

perty of the State of Florida and are undeveloped. Uses are primarily boating, swimming, and other water sports, with both sport and commercial fishing taking place in most areas. No existing or known potential uses are incompatible with NPS management objectives.

C. IMPACTS OF EXTERNAL ACTIVITIES

In most areas, activities or conditions outside the boundaries of the Seashore are not likely to have serious impacts on land protection efforts. In Florida, increasing private development of beach areas on the islands is having an effect on park use by reducing the opportunities for beach recreation other than on Seashore lands. The heavier use which is resulting may ultimately produce potential adverse impacts through overuse. The mainland units at Naval Live Oaks and Davis Bayou are also affected by increasing residential developments on and near the boundaries. This sometimes creates a "spillover" effect involving vandalism, fires, and trash disposal which impact NPS lands.

Other external activities which may adversely impact Seashore resources, such as channel dredging and oil and gas exploration, production, and transportation, are outside the scope of this plan and are considered under the Seashore's Resource Management Plan.

The Service will work with state and local agencies to insure the protection of waters beyond the boundaries of the Seashore. These efforts will be aimed at preventing actions that may have harmful effects on the Seashore's beaches and other resources.

D. FEDERAL, STATE, AND LOCAL LAWS AND AUTHORITIES WHICH PROVIDE RESOURCE PROTECTION

A variety of laws and regulations governing both Federal and State government operations are of importance in considering protection of land tracts which are within the boundaries of Gulf Islands National Seashore but are not under NPS administration. The legal jurisdiction for this unit of the National Park System is proprietorial, with minor exceptions.

For tracts of fastlands administered by other Federal agencies, the National Environmental Policy Act and the Historic Sites Act are very strong in their protection of natural and cultural resources. These legislative requirements provide a high level of protection to the resources found in the tracts in Florida administered by the Departments of Defense and Transportation.

The Coastal Zone Management Program of the State of Mississippi is a significant factor in the protection of the privately owned tracts on Horn Island and Marsh Point. This is particularly true of the marshes, lagoons, and other wetlands included in these tracts. Jackson County also has subdivision ordinances which would have an effect on whether or not a particular tract could be developed. However, these authorities do not totally preclude the possibility of developments which would be contrary to NPS management objectives for these lands.

Submerged lands, tidal areas, and wetlands in all ownerships are protected in both states through the Federal Water Pollution Control Act and the Rivers and

Harbors Act of 1899. Within Florida, the submerged lands owned by the State are subject to a wide range of protective regulations which are similar in scope to NPS protections. A portion of the waters surrounding Perdido Key and under State ownership are included in the Fort Pickens Aquatic Preserve, a designation which affords an even higher level of protection than on other State waters.

E. LAND PROTECTION STATUS

1. Acquisition Ceiling and Expenditures:

(a) Original Ceiling (PL 91-660)	\$3,120,000
(b) Changed by PL 92-275	3,462,000
(c) Changed by PL 94-578	22,162,000
(d) Appropriated through Sept. 30, 1983	23,271,220
(e) Expended through Sept. 30, 1983	23,269,247
(f) Unobligated balance	1,973
(g) Ceiling not yet appropriated	-0-

An additional \$300,000 was authorized by PL 95-625 specifically for the acquisition of the Marsh Point area. This amount is not included in the acquisition ceiling figures shown above.

2. Lands Acquired through June 30, 1983:

<u>Method of Acquisition</u>	<u>Number of Tracts</u>	<u>Acreage</u>
(a) Purchase	69	2,087.17
(b) Condemnation	10	38.23
(c) Declaration of Taking	2	717.42
(d) Donation	17	86,072.32
(e) Exchange	2	289.15
(f) Transfer	10	4,703.06
(g) Condemnation of tracts claimed by both Federal government and private owners.	226	(2,497.49)
(h) Total acquisitions	336	93,907.30

F. SOCIOCULTURAL IMPACTS

No residences of any type are located on any of the non-Federal lands considered under this plan. Private landowners are absentee owners whose use of these tracts is minimal or lacking, so there would be no significant sociocultural impacts if these lands were acquired by the Federal government. No impact would result from the acquisition of any submerged lands from the State of Florida, since activities now practiced in these waters would continue.

The only foreseeable social impact from the acquisition by the NPS of any of the lands considered in this plan would be the increased opportunities for public

recreation in the eastern portions of Santa Rosa Island, should these lands ever be transferred from military use to the Seashore. Such a transfer would result in a near doubling of available barrier island beach area in the Florida District and would provide significantly more recreation opportunities to residents of the Fort Walton Beach area.

IV. PROTECTION ALTERNATIVES

A. Tracts 01-104 and 105. These BLM-administered tracts could be left in their present status or transferred to NPS administration. Inasmuch as they are an integral part of NPS operations on West Ship Island, their transfer is the only logical alternative. Doing so will clarify NPS responsibility and will remove a miscellaneous public domain property from BLM's land rolls.

B. Tracts 02-101, 103, 104, 115, 116, 120, 121, 163, and 164. These are the privately owned fastland tracts on Horn Island in which the Federal government has not acquired an interest. Acquisition of fee title would give the Service the latitude to accomplish the purposes of both the Seashore's enabling legislation and wilderness legislation. Continued private ownership of these lands would prohibit necessary NPS management functions such as natural resources management and providing for public use. Development of these tracts would be totally out of keeping with maintaining the wilderness character of the island.

C. Tracts 02-147, 149, 152, and 166. These are tracts on Horn Island in which the Federal government has acquired an undivided partial interest but there is a remaining privately owned interest. As with the tracts in B. above, fee acquisition would be the most effective alternative. In addition, the existence of the partial Federal interest would make difficult any meaningful exercise of the private interests, even if they were not acquired.

D. Tracts 02-137, 139, 140, 141, and 162. These submerged tracts, once on Horn Island, could be acquired in fee or left in private ownership. Acquisition would remove any possibility that long-term movement of the island would once again create fastland on these tracts and invite possible development.

E. Tracts 02-142, 144, 145, 146. As submerged tracts officially administered but not attended to by other Interior Department agencies, these tracts should be transferred to NPS administration.

F. Tract 03-142. The Marsh Point area could be purchased outright, development rights could be purchased, a scenic easement could be obtained, or it could be left totally in private ownership. Acquisition of fee title would assure that no development incompatible with the NPS objective of maintaining the scene could take place on this land. The purchase of development rights or a scenic easement would accomplish this same purpose, but fee acquisition would have the added advantage of permitting NPS use of the tract for interpretive activities, with possible installation of a small dock and boardwalks, if needed. Since this tract is wetlands, however, it may not be developable, either from the practical standpoint or due to restrictive laws. Thus, the view may be preserved even if the NPS acquires no interest in the land. It should be noted that acquiring a scenic easement or development rights, to the extent necessary to preserve the view and the natural resources of the salt marsh, would be tantamount to fee acquisition and probably as costly.

G. Tracts 05-106 and 111. These BLM tracts on Perdido Key could be transferred to NPS administration or left under BLM jurisdiction. Protection of the land probably does not require the transfer, but there is no practical reason for leaving them with BLM, surrounded as they are by NPS property and with no BLM presence in the area.

H. Tract 05-139. The NPS has already made application for transfer of the spoil island near Perdido Key from the U.S. Army. The island's recreational use, now uncontrolled, could then be managed by the NPS to the extent necessary to provide visitor safety. In addition, this island provides a potential area for nesting birds and may at times need protective measures which the NPS can apply. Use of the site for the disposal of dredged materials could be permitted in a transfer from the Corps of Engineers to the NPS. The Corps has continued to decline to transfer this responsibility.

I. Tract 06-118. This tract includes all of the submerged lands within the Perdido Key area of the Seashore. Two alternatives available for this tract are continued ownership by the State of Florida or acquisition of fee title by the NPS. Other submerged lands within the Florida District (Fort Pickens, Santa Rosa, Naval Live Oaks) have been donated by the State when the adjacent uplands were acquired. Transfer of the Perdido Key submerged lands was not accomplished earlier because the presence of a number of small, privately owned tracts on the island slowed the process of upland acquisition. Retention of title to these lands would not adversely affect public recreational use of these waters. However, the lack of Federal ownership does present some problems in protection of resources and visitors. In particular, NPS water safety regulations cannot now be enforced, nor can Federal regulations necessary to fully protect marine natural resources and cultural resources, such as shipwrecks. Acquisition of title to these submerged lands would also allow application of a consistent management scheme to all waters in the Florida District.

J. Tract 05-108. The Pensacola Lighthouse site's historic features are being protected and used jointly by the Navy and Coast Guard. It appears possible that a lack of expertise in techniques for historic preservation may be hindering the ability of these agencies to fully protect these structures from deterioration. Under these circumstances, there seems to be a need for the NPS to provide at least advisory or cooperative services in this field. If this alternative is not feasible, transfer of administrative control to the NPS can be sought, with appropriate use rights for the structures retained by the Navy and Coast Guard.

K. Tracts 05-109 and 149. The U. S. Navy lands in the Pensacola Forts area are being adequately protected under Navy administration. These tracts include areas and facilities necessary to Navy operations and in which the NPS has no real interest. The "viewscape" from Fort Barrancas should be adequately protected by a commitment from the Navy contained in the memorandum of agreement which transferred the fort lands to the NPS. This pledges the Navy to not undertake any developments between Fort Barrancas and the bay which would obstruct this view. No alternatives other than continued Navy administration of these tracts are being considered. The memorandum of agreement is available from the Park Superintendent.

L. Tract 05-107. This is the State owned submerged land in Pensacola Bay which is adjacent to the upland tracts of the Pensacola Forts Area. Inasmuch as the NPS does not now administer the shoreline in this area and does not contemplate transfer of the Navy tracts, there appears to be no reason to consider any change for these submerged lands. The resources of these waters are adequately protected under State administration.

M. Tract 06-113. The U. S. Coast Guard Station in the Fort Pickens Area is in the process of being transferred to the NPS. No other alternatives are being considered.

N. Tract 07-108. Present planning for the University of West Florida property does not indicate a need for the NPS to consider any action with regard to this tract. Alternatives being considered by the University are compatible with NPS objectives and are not likely to have significant adverse impacts on recreational uses or natural resources of this site or the adjacent NPS land. Also, there was a clear understanding during the legislative process of authorizing the Seashore that this tract, while it would be within the boundaries, would not be acquired by the Federal government. However, if the State of Florida should ever find this property surplus to its needs, serious consideration should be given to its acquisition by the NPS through donation, exchange, or purchase.

O. Tracts 08-101, 102, and 104. At the present time, there is no alternative which can be considered for these tracts other than continued administration by Eglin Air Force Base. Current military uses of these lands preclude any public use other than the limited recreational use already taking place on tract 08-104. If military needs for this property should change, these tracts should be transferred to NPS jurisdiction, as provided in the enabling legislation. This would provide a large area of barrier island which would be extremely valuable for public recreation and natural environment protection.

P. Tract 08-103. Situated as it is in the midst of a highly developed area of Fort Walton Beach/Okaloosa Island, this small tract is probably not suitable for NPS administration. If Air Force uses for this property end, the tract could perhaps be made available to other public agencies for recreational use.

Q. Tracts 08-106, 107, 108, and 109. The submerged tracts adjacent to Eglin AFB lands in the eastern portion of Santa Rosa Island are owned by the State of Florida. Until such time as all or substantial portions of the Air Force lands are transferred to the NPS, there is no reason to consider any alternative other than continued State ownership. If a land transfer does take place, consideration should be given to a request for donation of the submerged lands.

V. RECOMMENDATIONS

A. PRIORITIES BY TRACT

<u>PRIORITY</u>	<u>TRACT NO.</u>	<u>OWNER</u>	<u>ACREAGE</u>	<u>INTEREST</u>
1	02-101	Frank O'Rourke	1.84	Fee
1	02-103	OKC Dredging	9.18	Fee
1	02-104	OKC Dredging	15.61	Fee
1	02-115	Myratt Button, <u>et al</u>	39.70	Fee
1	02-116	Ralph Hopkins	6.43	Fee
1	02-120	OKC Dredging	257.12	Fee
1	02-121	Ralph Hopkins	68.87	Fee
1	02-147	Jardel, Inc.	45.91*	Fee
1	02-149	Armand Weilbacher	6.43*	Fee
1	02-152	Jardel, Inc.	6.43*	Fee
1	02-163	Martha Ann Curtis	52.42	Fee
1	02-164	Charles Green	18.30	Fee
1	02-166	J. S. Delmas, <u>et al</u>	78.97*	Fee
2	02-137	Rodger Day, <u>et al</u>	(Subm.)	Fee
2	02-139	W. W. Dibble, <u>et al</u>	(Subm.)	Fee
2	02-140	Minerals Management, Inc.	(Subm.)	Fee
2	02-141	Rena Ford, <u>et al</u>	(Subm.)	Fee
2	02-162	Arthur Baker, <u>et al</u>	(Subm.)	Fee
3	03-142	William Rudolph	600.00	Fee
4	01-104	BLM	42.00	Fee
4	01-105	BLM	50.00	Fee
4	05-106	BLM	135.00	Fee
4	05-111	BLM	195.26	Fee
4	02-142	BLM	(Subm.)	Fee
4	02-144	USF&WS	(Subm.)	Fee
4	02-145	BLM	(Subm.)	Fee
4	02-146	BLM	(Subm.)	Fee
5	06-113	USCG/United States	9.00	Fee
6	05-139	Corps of Engineers/USA	70.60	Fee
7	06-118	State of Florida	6,653.00	Fee

* Undivided partial interest.

Until funds are made available for acquisition, the National Park Service will monitor the integrity of the resources to prevent serious damage. Private property rights will be recognized and respected. However, should an adverse action become imminent, the Service will take appropriate action.

B. RATIONALES FOR ACQUISITION

The group of tracts in Priority 1 is comprised of tracts on Horn Island and designated as potential wilderness additions. Acquisition of fee title to these lands is the only manner in which the legislative requirements of wilderness designation can be meaningfully applied.

Priority 2 tracts are the submerged privately owned tracts near Horn Island. Acquisition of these will avoid any questions concerning NPS operations on the waters above these tracts and will eliminate the possibility of future claims, should island movement ever again create fastlands in this area.

The tract identified as priority 3, Marsh Point, should be acquired in fee because any type of lesser interest, if sufficient to accomplish NPS management objectives, would be so restrictive as to preclude any type of private use of the property.

Priority 4 is in the nature of a "housekeeping" action. These tracts are technically under the administration of other Interior bureaus but are, in actuality, now under NPS management. Transfer to the NPS would fulfill the intent of the enabling legislation and avoid unnecessarily confusing real property records for all bureaus involved.

The U. S. Coast Guard Station, in the Fort Pickens Area, is listed as priority 5. Its transfer to the NPS would make permanent an operational transfer implemented by a special use permit in 1980.

Priority 6, now administered by the Corps of Engineers, could be administered more effectively for resource and visitor protection by the NPS if it was transferred. Its primary purpose as a repository for dredged material would not be altered by transfer.

Priority 7 is the submerged lands around Perdido Key now owned by the State of Florida. Acquisition of this tract would not alter use of these waters, but would allow the NPS to enforce boating and other water use regulations and protect submerged cultural resources. These functions can now be performed only by the State, which cannot devote as much time to the area as the NPS. This acquisition would also place these waters in the same status as the waters around all of the islands in the Seashore, in both Mississippi and Florida.

C. METHODS OF ACQUISITION

The donation of private fastlands and submerged lands in Priorities 1 and 2 would be the desirable method of acquisition. If the owners do not choose to donate, these lands could be purchased pending the availability of funds. In the past, purchase offers have not proven to be effective in acquiring these tracts, and condemnation was necessary.

Marsh Point would be acquired through negotiated purchase if funds were available or by donation.

All of the properties now administered by other Federal agencies and listed in Priorities 4, 5, and 6 would be acquired through transfer of administrative control to the NPS.

A request will be made to the State of Florida for donation of the Perdido Key submerged lands. This is the method of acquisition previously used for all other submerged lands in Florida.

D. LAND NOW ADEQUATELY PROTECTED

Administration of the three tracts in the Pensacola Forts Area by the U. S. Navy and U. S. Coast Guard is currently the best method of protecting these lands. Similarly, the adjacent submerged lands can remain under State control and be well protected.

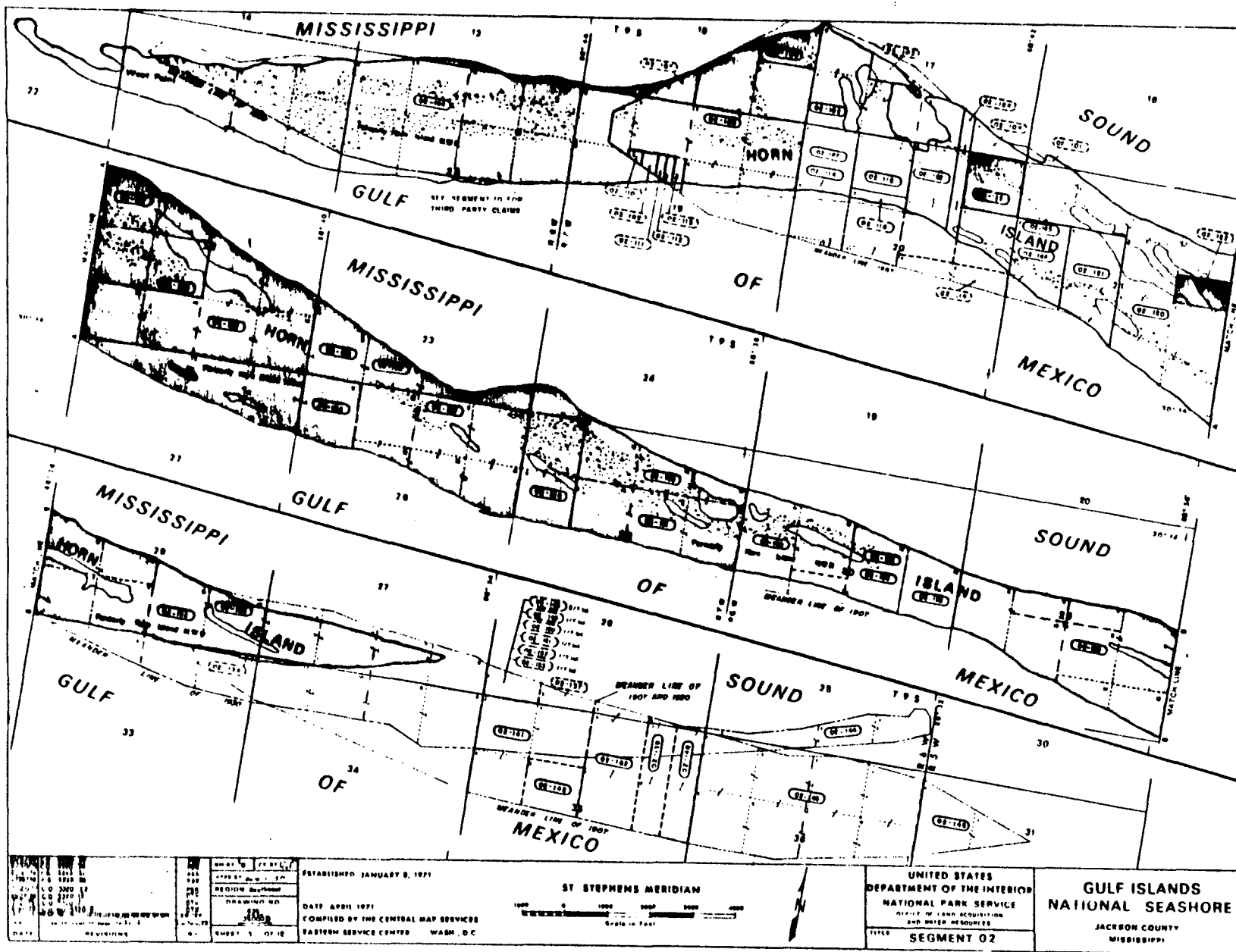
The University of West Florida tract, as managed now or in accordance with current planning alternatives, needs no NPS control for adequate protection. Acquisition could be considered if the University decided against making substantive use of the property.

The Eglin Air Force Base land on Santa Rosa Island is not now available for transfer and it is impossible to determine if this would ever be feasible. In the meantime, the island's resources are being preserved. The adjacent submerged lands should remain under State control unless and until the NPS has responsibility for managing this land area.

There does not appear, at this time, to be any real need for cooperative agreements with any of these public agencies in order to continue the protection now in effect. Such agreements should be considered at any future time when conditions appear likely to change.

APPENDIX A

MAPS



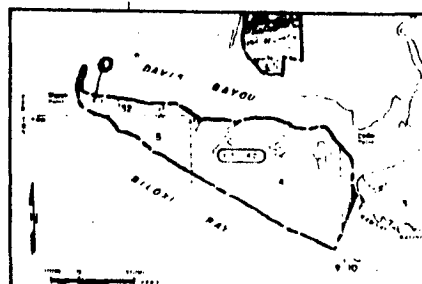
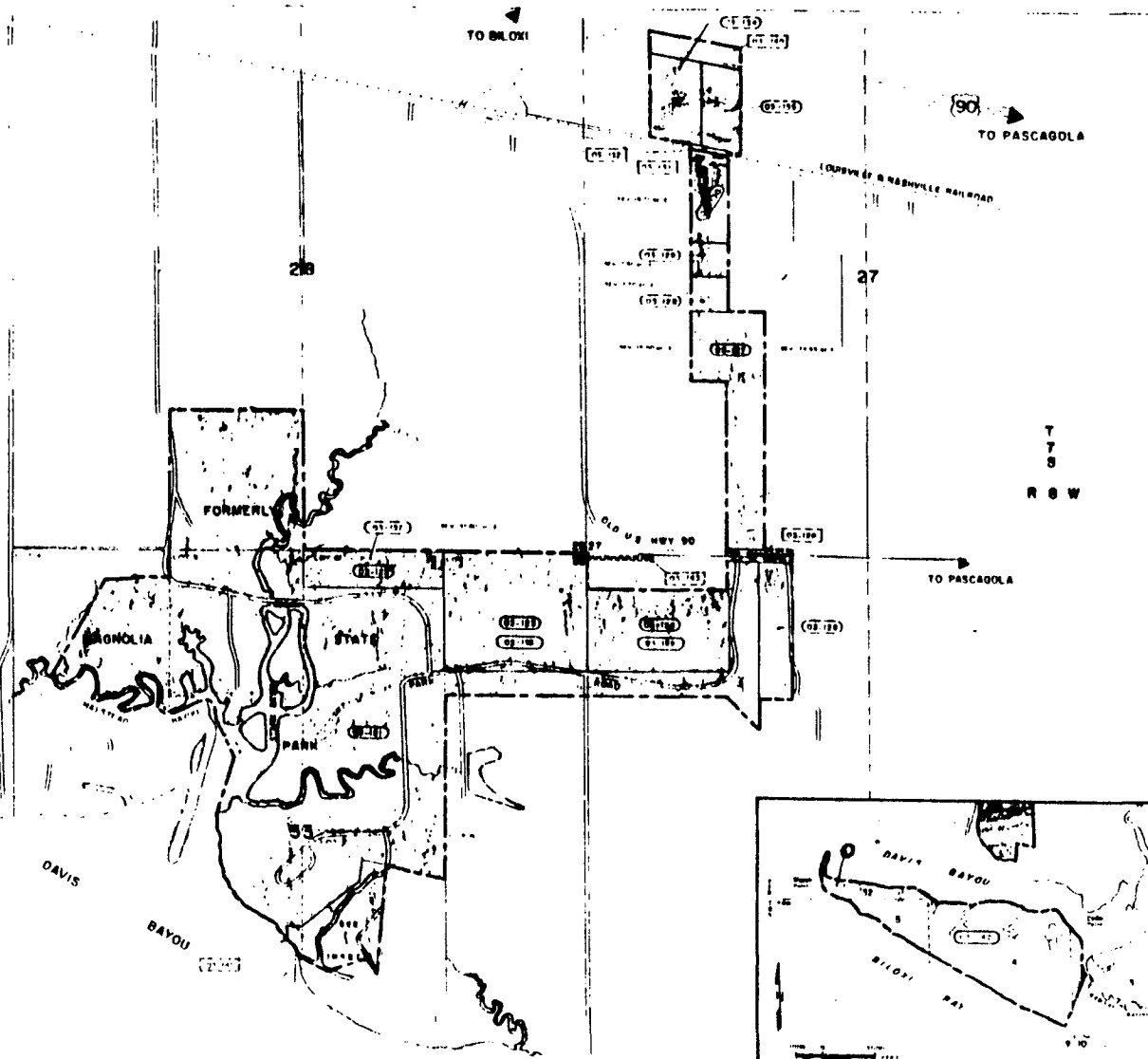
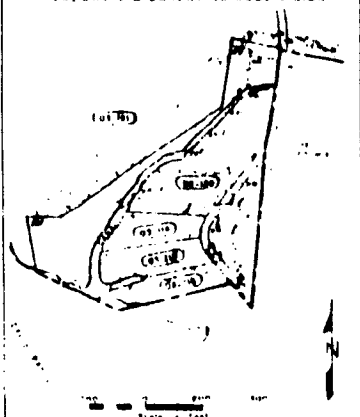
TRACT	OWNER	ACRES	REMARKS
02-101	U.S. DEPT. OF THE INTERIOR	1.00	100.00
02-102	U.S. DEPT. OF THE INTERIOR	1.00	100.00
02-103	U.S. DEPT. OF THE INTERIOR	1.00	100.00
02-104	U.S. DEPT. OF THE INTERIOR	1.00	100.00
02-105	U.S. DEPT. OF THE INTERIOR	1.00	100.00
02-106	U.S. DEPT. OF THE INTERIOR	1.00	100.00
02-107	U.S. DEPT. OF THE INTERIOR	1.00	100.00
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02-198	U.S. DEPT. OF THE INTERIOR	1.00	100.00
02-199	U.S. DEPT. OF THE INTERIOR	1.00	100.00
02-200	U.S. DEPT. OF THE INTERIOR	1.00	100.00

LEGEND

- PUBLIC LAND
- FEDERAL LAND
- NON FEDERAL LAND
- TRACT NUMBER (FFE)
- SEASHORE BOUNDARY
- TRACT BOUNDARY
- TRACT NUMBER (LESS THAN FEET)

INSET

VATES, DAVIS & BARBENTINE SUBDIVISION



ESTABLISHED JANUARY 9, 1971
BOUNDARY CHANGE APRIL 20, 1971

DATE NOVEMBER 1972

COMPILED BY

THE DENVER SERVICE CENTER (F.W. 1040)

ST. STEPHENS MERIDIAN

0 500 1000 1500 2000
SCALE IN FEET

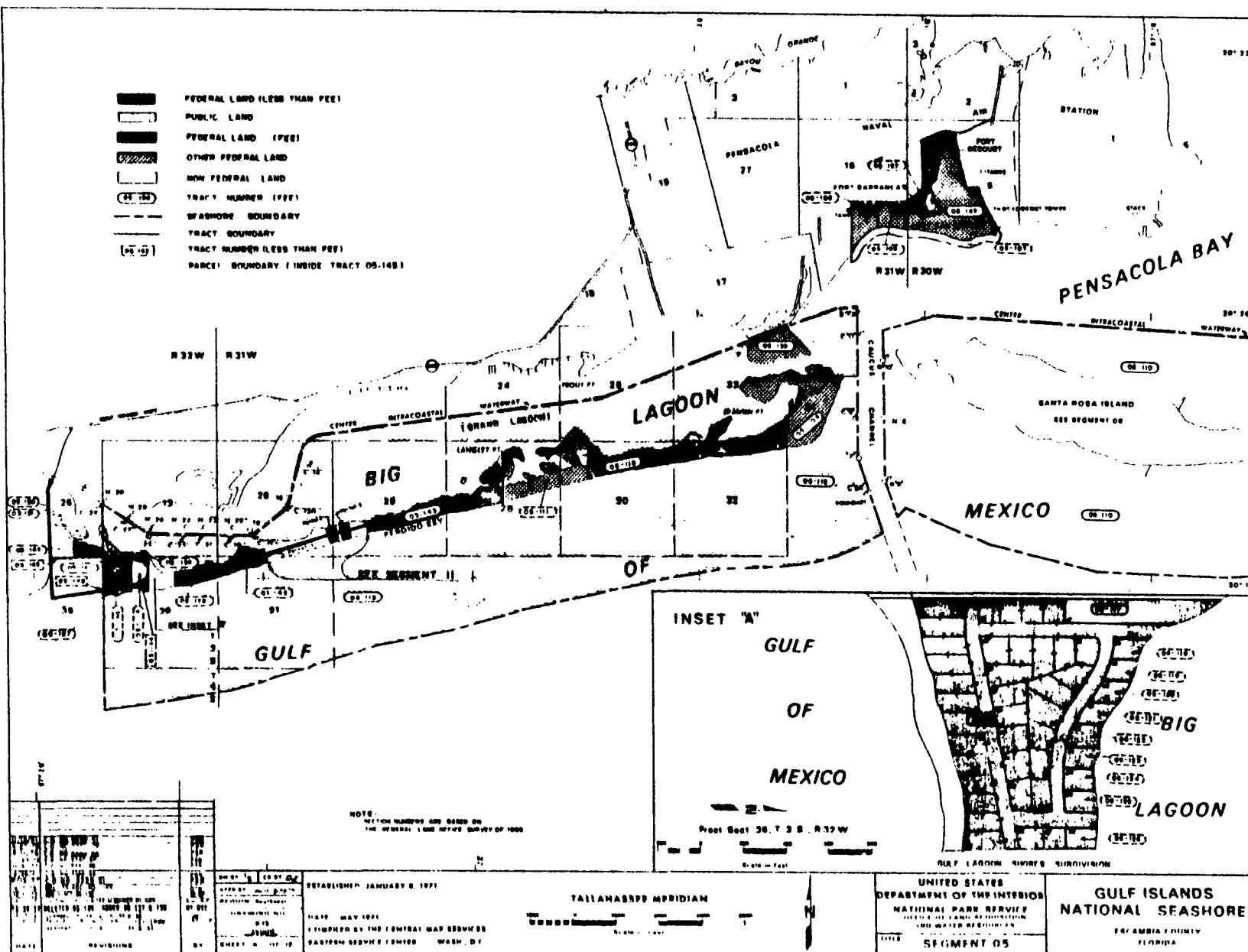
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
DIVISION OF LAND ACQUISITION

SEGMENT 03

STATE OF MISSISSIPPI
COUNTY OF JACKSON
SECTION 34
T 7 S
R 8 W

GULF ISLANDS
NATIONAL SEASHORE
JACKSON COUNTY
MISSISSIPPI

TRACT	OWNER	ACRES	INT.
01-101	DEVELOP		
01-102	DEVELOP		
01-103	DEVELOP		
01-104	DEVELOP		
01-105	DEVELOP		
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APPENDIX B

PRIORITIES AND RATIONALES

<u>PRIORITY</u>	<u>TRACT NO.</u>	<u>OWNER</u>	<u>ACREAGE</u>	<u>INTEREST</u>	<u>RATIONALE</u>
1	02-101	Frank O'Rourke	1.84	Fee	Protection
1	02-103	OKC Dredging	9.18	Fee	
1	02-104	OKC Dredging	15.61	Fee	of
1	02-115	Myratt Button, <u>et al</u>	39.70	Fee	
1	02-116	Ralph Hopkins	6.43	Fee	Wilderness
1	02-120	OKC Dredging	257.12	Fee	
1	02-121	Ralph Hopkins	68.87	Fee	
1	02-147	Jardel, Inc.	45.91*	Fee	
1	02-149	Armand Weilbacher	6.43*	Fee	
1	02-152	Jardel, Inc.	6.43*	Fee	
1	02-163	Martha Ann Curtis	52.42	Fee	
1	02-164	Charles Green	18.30	Fee	
1	02-166	J. S. Delmas, <u>et al</u>	78.97*	Fee	
2	02-137	Rodger Day, <u>et al</u>	(Subm.)	Fee	Provide
2	02-139	W. W. Dibble, <u>et al</u>	(Subm.)	Fee	Visitor
2	02-140	Minerals Management, Inc.	(Subm.)	Fee	Use
2	02-141	Rena Ford, <u>et al</u>	(Subm.)	Fee	
2	02-162	Arthur Baker, <u>et al</u>	(Subm.)	Fee	
3	03-142	William Rudolph	600.00	Fee	Protect Scenic View
4	01-104	BLM	42.00	Fee	Clarify
4	01-105	BLM	50.00	Fee	Federal
4	05-106	BLM	135.00	Fee	Management
4	05-111	BLM	195.26	Fee	Responsibilities
4	02-142	BLM	(Subm.)	Fee	
4	02-144	USF&WS	(Subm.)	Fee	
4	02-145	BLM	(Subm.)	Fee	
4	02-146	BLM	(Subm.)	Fee	
5	06-113	USCG/United States	9.00	Fee	Administrative Facilities
6	05-139	Corps of Engineers/USA	70.60	Fee	Visitor Use
7	06-118	State of Florida	6,653.00	Fee	Protection of Cultural Resources/ Protection of Visitor Health and Safety

* Undivided partial interest.

APPENDIX B

<u>TRACT NO.</u>	<u>OWNER</u>	<u>ACREAGE</u>	<u>INTEREST</u>
05-108	USCG/United States	43.50	No action
05-109	USN/United States	31.50	No action
05-149	USN/United States	173.94	No action
05-107	State of Florida	37.00	No action
07-108	State of Florida	152.00	No action
08-101	USAF/United States	767.68	No action
08-102	USAF/United States	2499.70	No action
08-103	USAF/United States	17.00	No action
08-104	USAF/United States	951.33	No action
08-106	State of Florida	8219.00	No action
08-107	State of Florida	4206.00	No action
08-108	State of Florida	2720.00	No action
08-109	State of Florida	262.00	No action

An Act to provide for the establishment of the Gulf Islands National Seashore, in the States of Florida and Mississippi, for the recognition of certain historic values at Fort San Carlos, Fort Redoubt, Fort Barrancas, and Fort Pickens in Florida, and Fort Massachusetts in Mississippi, and for other purposes. (84 Stat. 1967)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for public use and enjoyment certain areas possessing outstanding natural, historic, and recreational values, the Secretary of the Interior (hereinafter referred to as the "Secretary") may establish and administer the Gulf Islands National Seashore (hereinafter referred to as the "seashore"). The seashore shall comprise the following gulf coast islands and mainland areas, together with adjacent water areas as generally depicted on the drawing entitled "Proposed Boundary Plan, Proposed Gulf Islands National Seashore," numbered NS-GI-7100J, and dated December 1970:

- (1) Ship, Petit Bois, and Horn Islands in Mississippi;
- (2) the eastern portion of Perdido Key in Florida;
- (3) Santa Rosa Island in Florida;
- (4) the Naval Live Oaks Reservation in Florida;
- (5) Fort Pickens and the Fort Pickens State Park in Florida; and
- (6) a tract of land in the Pensacola Naval Air Station in Florida that includes the Coast Guard Station and Lighthouse, Fort San Carlos, Fort Barrancas, and Fort Redoubt and sufficient surrounding land for proper administration and protection of the historic resources.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that property owned by a State or any political subdivision thereof may be acquired only with the consent of the owner. The Secretary may acquire by any of the above methods not more than one hundred thirty-five acres of land or interests therein outside of the seashore boundaries on the mainland in the vicinity of Biloxi-Gulfport, Mississippi, for an administrative site and related facilities for access to the seashore. With the concurrence of the agency having custody thereof, any Federal property within the seashore and mainland site may be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the seashore.

(b) With respect to improved residential property acquired for the purposes of this Act, which is beneficially owned by a natural person and which the Secretary of the Interior determines can be continued in that use for a limited period of time without undue interference with the administration, development, or public use of the seashore, the owner thereof may on the date of its acquisition by the Secretary retain a right of use and occupancy of the property for noncommercial residential purposes for a term, as the owner may elect, ending either (1) at the death of the owner or his spouse, whichever occurs later, or (2) not more than twenty-five years from the date of acquisition. Any right so retained may during its existence be transferred or assigned. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less their fair market value on such date of the right retained by the owner.

(c) As used in this Act, "improved residential property" means a single-family year-round dwelling, the construction of which began before January 1, 1967, and which serves as the owner's permanent place of abode at the time of its acquisition by the United States, together with not more than three acres of land on which the dwelling and appurtenant buildings are located that the Secretary finds is reasonably necessary for the owner's continued use and occupancy of the dwelling: *Provided*, That the Secretary may exclude from improved residential property any marsh, beach, or waters and adjoining land that the Secretary deems is necessary for public access to such marsh, beach, or waters.

(d) The Secretary may terminate a right of use and occupancy retained pursuant to this section upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

SEC. 3. The Secretary shall permit hunting and fishing on lands and waters within the seashore in accordance with applicable Federal and States laws: *Provided*, That he may designate zones where, and establish periods when no hunting or fishing will be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations issued by the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agencies responsible for hunting and fishing activities.

SEC. 4. Any acquisition of lands, waters, or interests therein shall not diminish any existing rights-of-way or easements which are necessary for the transportation of oil and gas minerals through the seashore which oil and gas minerals are removed from outside the boundaries thereof; and, the Secretary, subject to appropriate regulations for the protection of the natural and recreational values for which the seashore is established, shall permit such additional rights-of-way or easements as he deems necessary and proper.

SEC. 5. Except as otherwise provided in this Act, the Secretary shall administer the seashore in accordance with the Act of August 25, 1916 (30 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.). In the administration of the seashore the Secretary may utilize such statutory authorities available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this Act. With respect to Fort Redoubt, Fort San Carlos, Fort Barrancas at Pensacola Naval Air Station, Fort Pickens on Santa Rosa Island, and Fort McRae on Perdido Key, Florida, and Fort Massachusetts on Ship Island, Mississippi, together with such adjacent lands as the Secretary may designate, the Secretary shall administer such lands so as to recognize, preserve, and interpret their national historical significance in accordance with the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467), and he may designate them as national historic sites. The Act of July 2, 1948 (62 Stat. 1220), which provided for the establishment of the Pensacola National Monument, is hereby repealed.

Sec. 6. The Secretary of the Interior and the Secretary of the Army may cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore. Any such protective works or spoil deposit activities undertaken by the Chief of Engineers, Department of the Army, shall be carried out within the seashore in accordance with a plan that is acceptable to the Secretary of the Interior and that is consistent with the purposes of this Act.

Sec. 7. There are hereby transferred from the National Wildlife Refuge System to the seashore the Horn Island and Petit Bois National Wildlife Refuges to be administered in accordance with the provisions of this Act.

Sec. 8. Within four years from the date of the enactment of this Act, the Secretary of the Interior shall review the area within the Gulf Islands National Seashore and shall report to the President, in accordance with subsections 3 (c) and 3 (d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), and recommended as to the suitability or unsuitability of any area within the seashore for preservation as wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

Sec. 9. No provision of this Act, or of any other Act made applicable thereby, shall be construed to affect, supersede, or modify any authority of the Department of the Army or the Chief of Engineers, with respect to navigation or related matters as specifically provided in section 6 of this Act.

Sec. 10. There is hereby established a Gulf Islands National Seashore Advisory Commission. The Commission shall terminate ten years after the date the seashore is established pursuant to this Act. The Commission shall be composed of three members from each county in which the seashore is located, each appointed for a term of two years by the Secretary as follows:

(1) one member to be appointed from recommendations made by the county commissioners in the respective counties;

(2) one member to be appointed from recommendations made by the Governor of the State from each county; and

(3) one member to be designated by the Secretary from each county.

Provided, That two members shall be appointed to the Advisory Commission in each instance in counties whose population exceeds one hundred thousand.

The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

The Secretary or his designee shall, from time to time, consult with the Commission with respect to the matters relating to the development of the Gulf Islands National Seashore.

Sec. 11. There are authorized to be appropriated not more than \$3,120,000 for the acquisition of lands and interests in lands and not more than \$14,779,000 (1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.

Approved January 8, 1971.

Legislative History

House Report No. 91-1897 (Committee on Interior and Insular Affairs).
Senate Report No. 91-1514 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):

Sept. 10 considered and passed House.

Dec. 24 reconsidered and passed Senate amended.

Dec. 29. House concurred in Senate amendment.

An Act to amend the Act of January 8, 1971 (Public Law 91-660; 84 Stat. 1967), an Act to provide for the establishment of the Gulf Islands National Seashore, in the States of Florida and Mississippi, for the recognition of certain historic values of Fort San Carlos, Fort Moultrie, Fort Barrancas, and Fort Pickens in Florida, and Fort Massachusetts in Mississippi, and for other purposes. (84 Stat. 123)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of January 8, 1971 (Public Law 91-660; 84 Stat. 1967) is amended as follows:

(1) In section 2(a) revise the second sentence by deleting "one hundred thirty-five" and inserting in lieu thereof "four hundred" and

(2) In section 11 delete "\$3,120,000" and insert in lieu thereof "\$3,462,000" and delete "\$14,779,000 (1970 prices)" and insert "\$17,774,000 (June 1970 prices)".

Approved April 20, 1972.

Legislative History

House Report No. 92-946 accompanying H.R. 11839 (Committee on Interior and Insular Affairs).
Senate Report No. 92-705 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1972):
Mar. 23, considered and passed Senate.
Apr. 17, considered and passed House amended to H.R. 11839.
Apr. 19, Senate concurred in House amendment.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (88 Stat. 5728 (P.L. 95-678))

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

TITLE I—ACQUISITION CEILING INCREASES

Sec. 101. The limitations on appropriations for the acquisition of lands and interests therein within units of the National Park System contained in the following Acts are amended as follows:

• • • • •

(6) Gulf Islands National Seashore, Florida and Mississippi: section 11 of the Act of January 8, 1971 (84 Stat. 1967), is amended by changing "\$3,462,000" to "\$22,162,000".

• • • • •

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (88 Stat. 3497) (P.L. 95-826)

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

TITLE I—DEVELOPMENT CEILING INCREASES

Sec 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

(13) Gulf Islands National Seashore, Florida-Mississippi: Section 11 of the Act of January 8, 1971 (84 Stat. 1967), is amended by changing "\$17,774,000" to "\$24,224,000", and by deleting the phrase "(June 1970 prices) for development, plus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering costs indices applicable to the types of construction involved herein", and inserting in lieu thereof "for development."

TITLE III—BOUNDARY CHANGES

Sec 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisition of lands and interests in lands within areas added by reason of such revisions:

(9) Gulf Islands National Seashore, Mississippi-Florida: To add approximately six hundred acres as generally depicted on the map entitled "Boundary Map, Gulf Islands National Seashore, Mississippi-Florida", numbered 20,006, and dated April 1978: \$300,000.

Sec 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

Sec 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely

studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

Sec 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (96 Stat. 3467) (P.L. 95-625)

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

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

(5) Gulf Islands National Seashore, Florida, and Mississippi, wilderness comprising approximately one thousand eight hundred acres and potential wilderness additions comprising approximately two thousand eight hundred acres, depicted on a map entitled "Wilderness Plan, Gulf Islands National Seashore, Mississippi, Florida", numbered 635-20,018-A and dated March 1977, to be known as the Gulf Islands Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act. *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 405. Nothing in this title shall be construed to diminish the authority of the Coast Guard, pursuant to sections 2 and 81 of title 14, United States Code, and title 1 of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221), or the Federal Aviation Administration to use the areas designated wilderness by this Act within the Everglades National Park, Florida, and the Gulf Islands National Seashore, Florida and Mississippi, for navigational and maritime safety purposes.