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APPROVED
DEC 26 1974

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: December 27

December 23, 1974

*Posted in
Colorado
12/26
Jo Archive
12/30*

MEMORANDUM FOR: THE PRESIDENT

FROM: KEN COLE

**SUBJECT: Enrolled Bill H.R. 11013 - Farallon
Wilderness and Point Reyes National
Seashore**

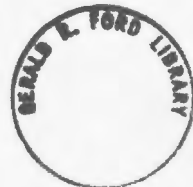
Attached for your consideration is H.R. 11013, sponsored by Representative Burton, which designates certain lands in the Farallon National Wildlife Refuge in California as wilderness and adds approximately 499 acres to the existing Point Reyes National Seashore in California.

OMB recommends approval and provides you with additional background information in its enrolled bill report (Tab A).

Max Friedersdorf and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign H.R. 11013 (Tab B).



APPROVED

DEC 26 1974



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 20 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11013 - Farallon Wilderness;
and, Point Reyes National Seashore
Sponsor - Rep. Burton (D) California

Last Day for Action

December 27, 1974 - Friday

Purpose

Designates certain lands in the Farallon National Wildlife Refuge as wilderness; and adds certain lands to the Point Reyes National Seashore.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of the Army	No objection
Department of Commerce	No objection
Department of Transportation	No objection
Council on Environmental Quality	No objection
Department of Agriculture	Defers to Interior
Federal Energy Administration	Defers to Interior (informally)

Discussion

Title I -- Farallon Wilderness

Under the Wilderness Act, Agriculture and Interior are required to make recommendations to the President for additions to the National Wilderness Preservation System,

and the President is required to submit these, along with his own recommendations, to the Congress. To qualify for wilderness designation, an area must generally be undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions.

Title I of the enrolled bill, which is essentially identical in substance to a proposal that was transmitted to Congress by the Nixon Administration, would establish the Farallon Wilderness comprising an area of about 141 acres within the Farallon National Wildlife Refuge. The 211 acre refuge consists of four rugged and picturesque island groups extending over about seven miles of the Pacific Ocean, some 30 miles off shore from San Francisco, California. The islands host up to 200,000 nesting birds each summer and they support the largest colony of cormorants on the entire Pacific coast, outside Alaska. The only part of the refuge that would be excluded from the wilderness area is Southeast Farallon Island which has a lighthouse and related facilities that are used by U. S. Coast Guard on a year round basis.

Title II -- Point Reyes National Seashore Addition

Title II of H.R. 11013 would add two tracts of land which approximate 449 acres to the existing Point Reyes National Seashore (presently totals 64,850 acres). The estimated cost of acquiring these lands is \$1,090,500 although this would be accommodated within the current authorization ceiling of \$57,500,000.

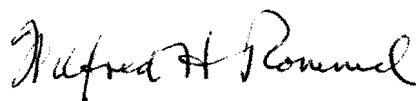
In reporting on title II to the Congress, Interior stated that this land acquisition was not a matter of priority and that such an expenditure could not be justified. In this regard, the Department noted that the source of such land acquisition funds, the Land and Water Conservation Fund, was already subject to substantial and more meritorious land acquisition claims.

However, in its report on H.R. 11013, the Senate Interior Committee stated that the additional land acquisition was necessary (1) to protect the natural esthetic setting of the seashore and (2) for construction and maintenance of a visitor's center.

In its views letter on the enrolled bill, Interior notes with respect to title II that:

". . . Having spent a good deal of money to acquire the existing land, the additional expenditure needed is not excessive to complete and assure the scenic beauty of the area, in view of the purpose of the Seashore to preserve the land in its wild state. Therefore, we recommend Presidential approval of the bill."

Although we continue to question the priority of adding these two tracts to the seashore, we do not believe that the bill warrants veto. We make this recommendation largely on the basis that (1) the additional acquisition costs can be accommodated within the present authorization ceiling and (2) title I would establish a wilderness area that has been proposed by the Administration.



Assistant Director for
Legislative Reference

Enclosures

To -
James Madril
12-20-74
1:00 p.m.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 20 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11013 - Farallon Wilderness;
and, Point Reyes National Seashore
Sponsor - Rep. Burton (D) California

Last Day for Action

December 27, 1974 - Friday

Purpose

Designates certain lands in the Farallon National Wildlife Refuge as wilderness; and adds certain lands to the Point Reyes National Seashore.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of the Army	No objection
Department of Commerce	No objection
Department of Transportation	No objection
Council on Environmental Quality	No objection
Department of Agriculture	Defers to Interior
Federal Energy Administration	Defers to Interior (informally)

Discussion

Title I -- Farallon Wilderness

Under the Wilderness Act, Agriculture and Interior are required to make recommendations to the President for additions to the National Wilderness Preservation System,

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 811

Date: December 20, 1974

Time: 9:30 pm

FOR ACTION: Mike Duval *ok*
Phil Areeda *ok*
Max Friedersdorf *ok*

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 11013 - Farallon Wilderness
and Point Reyes National Seashore

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

ADVANCE

Dear Mr. Ash:

This responds to your request for the views of this Department on enrolled bill H.R. 11013, "To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes".

We recommend that the President approve the enrolled bill.

H.R. 11013 would designate 141 acres of the Farallon National Wildlife Refuge, California, as wilderness, to be administered by the Secretary of the Interior as the Farallon Wilderness. The second title of the bill would add approximately 448 acres to the Point Reyes National Seashore.

The Point Reyes Act of 1962, which created the Point Reyes National Seashore did not, because of a surveying error, include 167 acres of land, predominantly privately held, which sits atop Inverness Ridge overlooking the Seashore. This land is now facing residential development pressure. The property is needed to preserve visual integrity of the area, to assure an unbroken natural ridgeline overlooking the Seashore and to avoid marring the scenic beauty, by allowing the encroachment of development on a highly visible section of the Seashore.

The other 281 acres, added by the Senate to the House version of the bill, provides an area across Bear Valley Road from the Seashore Headquarters for public parking and shuttle transportation into the Seashore, as well as containing several fault features of significance for study of the San Andreas fault. This acreage is now available for purchase from the family owning the land, which has previously refused to sell the land. Additionally, the acreage will provide a scenic buffer zone across from the Seashore Headquarters, necessary due to gradual commercial development of the area.



Save Energy and You Serve America!

The land may be acquired under the original funding authorization of the Point Reyes Act. Though the acreage is expected to cost approximately \$1,090,500, no additional authorization is necessary since the previous funding for the acquisition of the Seashore will still adequately cover this addition. Having spent a good deal of money to acquire the existing land, the additional expenditure needed is not excessive to complete and assure the scenic beauty of the area, in view of the purpose of the Seashore to preserve the land in its wild state. Therefore, we recommend Presidential approval of the bill.

Sincerely yours,

Secretary of the Interior

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C. 20503



DEPARTMENT OF THE ARMY
WASHINGTON, D.C. 20310

1 8 DEC 1974

Honorable Roy L. Ash
Director
Office of Management and Budget

Dear Mr. Ash:

This is in reply to your request for the views of the Department of the Army on enrolled enactment H.R. 11013, 93d Congress, "To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes."

The Department of the Army has no objection to the approval of the enrolled enactment.

Section 101 of the enrolled enactment designates 141 acres of the 211-acre Farallon National Wildlife Refuge as wilderness. This area consists of four rugged rock island groups extending over seven miles of the Pacific Ocean, 28 miles offshore from San Francisco, California. This section represents congressional approval of the President's recommendations dated April 28, 1971, for the designation of this area as a part of the National Wilderness System.

Section 201 of the enrolled enactment amends Section 2(a) of the Act of September 13, 1962 for the purpose of readjusting the boundaries of Point Reyes National Seashore, California, by adding an additional 450 acres which were inadvertently excluded from the National Seashore through an error in its survey.

Sincerely,

A handwritten signature in cursive script that reads "Herman R. Staudt".

Herman R. Staudt
Acting Secretary of the Army



**GENERAL COUNSEL OF THE
DEPARTMENT OF COMMERCE**
Washington, D.C. 20230

DEC 18 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Ash:

This is in reply to your request for the views of this Department concerning H.R. 11013, an enrolled enactment

"To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes."

This Department would have no objection to approval by the President of H.R. 11013.

Enactment of this legislation will not involve the expenditure of any funds by this Department.

Sincerely,

Karl E. Bakke

General Counsel





OFFICE OF THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

DEC 18 1974

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Ash:

This is in response to your request for this Department's comments on enrolled bill H. R. 11013,

"To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes."

This enrolled bill has been reviewed in light of the programs and policies of the Department of Transportation, and we have no objection to its enactment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rodney E. Eyster", is written over the typed name.

Rodney E. Eyster
General Counsel

NOV 20 1974
OFFICE OF MANAGEMENT AND BUDGET

NOV 18 1974 4:00 PM

RECEIVED

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

DEC 17 1974

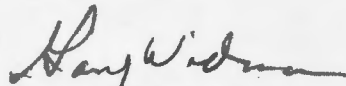
MEMORANDUM FOR W. H. ROMMEL
OFFICE OF MANAGEMENT AND BUDGET

ATTN: Mrs. Mohr

SUBJECT: Enrolled Bill, H.R. 11013, "To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes."

This is in response to your request of December 13, for our views on the subject enrolled bill.

The Council has no objection to the approval and enactment of this bill.


Gary Widman
General Counsel

OFFICE OF MANAGEMENT AND BUDGET
DEC 13 1974 4:31
RECEIVED



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

December 19, 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget

Dear Mr. Ash:

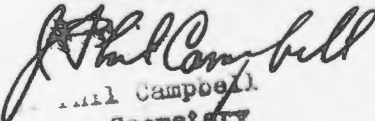
In reply to the request from your office, the following report is submitted on the enrolled enactment H.R. 11013, "To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes."

The Department of Agriculture defers to the Department of the Interior for a recommendation on whether the President should approve this enactment, because the enactment does not affect lands or programs administered by this Department.

Title I of the enactment would designate about 141 acres of the Farallon National Wildlife Refuge, on an island off the coast of California, as wilderness to be known as the Farallon Wilderness and to be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

Title II would add certain lands to the Point Reyes National Seashore on the Point Reyes Peninsula, Marin County, California, by amending subsection (a) of section 2 of the Act of September 13, 1962 (76 Stat. 538). The Secretary of the Interior would publish the amended description of the boundaries of the Point Reyes National Seashore in the Federal Register and take other action to publicly announce and record the amended description of boundaries as required by the second sentence of subsection (b) of section 4 of the Act of September 13, 1962, as amended.

Sincerely,


J. Paul Campbell
Under Secretary

RECEIVED



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 19 1974

Dear Mr. Ash:

This responds to your request for the views of this Department on enrolled bill H.R. 11013, "To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes".

We recommend that the President approve the enrolled bill.

H.R. 11013 would designate 141 acres of the Farallon National Wildlife Refuge, California, as wilderness, to be administered by the Secretary of the Interior as the Farallon Wilderness. The second title of the bill would add approximately 448 acres to the Point Reyes National Seashore.

The Point Reyes Act of 1962, which created the Point Reyes National Seashore did not, because of a surveying error, include 167 acres of land, predominantly privately held, which sits atop Inverness Ridge overlooking the Seashore. This land is now facing residential development pressure. The property is needed to preserve visual integrity of the area, to assure an unbroken natural ridgeline overlooking the Seashore and to avoid marring the scenic beauty, by allowing the encroachment of development on a highly visible section of the Seashore.

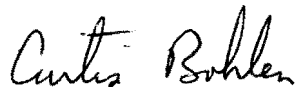
The other 281 acres, added by the Senate to the House version of the bill, provides an area across Bear Valley Road from the Seashore Headquarters for public parking and shuttle transportation into the Seashore, as well as containing several fault features of significance for study of the San Andreas fault. This acreage is now available for purchase from the family owning the land, which has previously refused to sell the land. Additionally, the acreage will provide a scenic buffer zone across from the Seashore Headquarters, necessary due to gradual commercial development of the area.



Save Energy and You Serve America!

The land may be acquired under the original funding authorization of the Point Reyes Act. Though the acreage is expected to cost approximately \$1,090,500, no additional authorization is necessary since the previous funding for the acquisition of the Seashore will still adequately cover this addition. Having spent a good deal of money to acquire the existing land, the additional expenditure needed is not excessive to complete and assure the scenic beauty of the area, in view of the purpose of the Seashore to preserve the land in its wild state. Therefore, we recommend Presidential approval of the bill.

Sincerely yours,



Acting Assistant Secretary of the Interior

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C. 20503

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 811

Date: December 20, 1974

Time: 9:30 pm

FOR ACTION: Mike Duval
Phil Areeda
Max Friedersdorf

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: noon

SUBJECT:

Enrolled Bill H.R. 11013 - Farallon Wilderness
and Point Reyes National Seashore

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

OK Mike Duval

Be sure Congressional notifications
are done by Max.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 811

Date: December 20, 1974

Time: 9:30 pm

FOR ACTION: Mike Duval
Phil Areeda ✓
Max Friedersdorf

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

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SUBJECT:

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ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*hs Johnston
P. Areeda
12/23*




PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President

THE WHITE HOUSE
WASHINGTON
December 23, 1974

MEMORANDUM FOR: WARREN HENDRIKS
FROM: MAX L. FRIEDERSDORF 
SUBJECT: Action Memorandum - Log No. 811
Enrolled Bill H.R. 11013 - Farallon Wilderness
and Point Reyes National Seashore

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

DESIGNATING CERTAIN LANDS IN THE FARALLON
NATIONAL WILDLIFE REFUGE, SAN FRANCISCO
COUNTY, CALIF., AS WILDERNESS

APRIL 3, 1974.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. HALEY, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H.R. 11013]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 11013) to designate certain lands in the Farallon National Wildlife Refuge, San Francisco County, Calif., as wilderness, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 1, between lines 2 and 3, insert "Title I".

Page 1, at the beginning of line 3, insert "Sec. 101.", strike out "That, in" and insert in lieu thereof "In".

Page 2, line 3, strike out "Sec. 2." and insert in lieu thereof "Sec. 102."

Page 2, following line 6, insert the following new text:

TITLE II

SEC. 201. Section 2 of the Act of September 13, 1962 (76 Stat. 538), as amended (16 U.S.C. 459C-1) is further amended by including the following new subsection (c):
"(c) The Point Reyes National Seashore shall include, in addition to those lands hereinbefore described, such lands as are depicted on the map entitled 'Planning Map, Point Reyes National Seashore, Marin County, California', numbered 8530/30006A and dated February 1974, to which a legal description of such lands shall be attached. For the purposes of this subsection, there are authorized to be appropriated for the acquisition of lands such sums as may be necessary, but not to exceed \$200,000."

Amend the title so as to read:

To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore, and for other purposes.

PURPOSE

The purpose of H.R. 11013, as amended, is to designate certain lands located within the Farallon National Wildlife Refuge as wilderness and to add approximately 168 acres to the existing Point Reyes National Seashore.

H.R. 11013 was introduced by Mr. Burton. An identical proposal, H.R. 4252 was introduced by Mr. Mailliard. A similar proposal is contained in H.R. 5422 and H.R. 5474—omnibus wilderness bills introduced by Mr. Melcher and Mr. Saylor.

TITLE I—FARALLON WILDERNESS

EXPLANATION AND NEED

The Wilderness Act of September 3, 1964 (78 Stat. 890), directed the Secretary of Agriculture to review, within ten years, areas within the National Forest System to determine their suitability for preservation as wilderness. The Secretary of the Interior was directed to review areas within national parks, national monuments, wildlife refuges and game ranges for the same purpose. Upon finding favorable to wilderness designation, the respective Departments were directed to submit their recommendations to the President in order that he might advise the Congress of his recommendations regarding these areas. Any such recommendation of the President for designation of an area as wilderness becomes effective only if so provided by an act of Congress.

The above outlined procedure was followed in the case of the Farallon proposal. The Presidential recommendation is dated April 28, 1971, and it, together with the accompanying explanation and justification, is contained in House Document 92-102, Part 10.

This proposed wilderness contains 141 acres of the existing 211 acre Farallon National Wildlife Refuge. The refuge consists of the emerged land of four rugged and picturesque island groups above mean high tide. It extends over about seven miles of Pacific Ocean, 28 miles offshore from San Francisco County, California. The proposal includes all of the islands except the 70-acre southeast Farallon Island which has an extensive lighthouse installation. Personnel from the Point Reyes Bird Observatory are residents on the island and Coast Guardsmen stay overnight on an intermittent basis.

Middle Farallon is a single rock, 50 yards in diameter and 20 feet high. The North Farallons are four miles to the north in two clusters of bare precipitous rocks. They reach a height of 155 feet. Noonday Rock, three miles further to the north, is awash most of the time and is a feeding ground for diving birds.

The Farallon Refuge was originally the three northern island groups of 91 acres, established in 1909 by Executive order of President Roosevelt. The Southeast Farallons were added by Executive order in 1969. The U.S. Coast Guard has primary jurisdiction of this addition and concurs in this proposal.

Geologically, the Farallon Islands are a granitic formation of a decomposing crystalline type. There are some pockets of shallow soil, particularly on the less vertical portions of Southeast Farallon. No significant mineral deposits are known to exist on any of the islands.

The climate is characterized by frequent strong winds and dense fog. Rainfall occurs mainly during winter, with summer moisture usually limited to damp fogs. Annual precipitation is approximately 10 inches.

Vegetation is sparse. Farallon weed, a plant indigenous to the islands, predominates. Fourteen other native plants, 68 marine algae, and six lichens have been identified on Southeast Farallon and most of these occur on certain of the other islands as well.

The refuge preserves the natural condition of the islands and provides protection to some 200,000 nesting sea birds of 11 species. There are no active habitat management programs on the islands. The cormorant colony complex is the largest on the Pacific Coast outside Alaska. Also present are the Cassin's auklet, western gull, ashy petrel, common murre, tufted puffin, and black oystercatcher. The California and Stellar sea lions haul out on these rocks.

Access to the islands is limited to protect bird colonies, but boat tours around the refuge are sponsored by the San Francisco Bay area chapter of the National Audubon Society for birdwatching.

The Committee endorses the designation of this portion of the Farallons National Wildlife Refuge for addition to the wilderness system and recommends enactment of H.R. 11013 as amended.

TITLE II—POINT REYES NATIONAL SEASHORE ADDITION

During the deliberations on this legislation by the Committee on Interior and Insular Affairs mention was made of the fact that a surveying error had apparently been made in the original boundaries of the Point Reyes National Seashore. To Correct this mistake, the Committee agreed to an amendment making this minor (167.83A) boundary adjustment. Prompt action is considered necessary in order to avoid, to the extent possible, any further development on the lands in question.

By way of background, it should be noted that the legislative history of the original Act creating the Point Reyes National Seashore strongly suggests that the Inverness Ridge, south of Tomales Bay State Park, should be the boundary for this portion of the seashore. This, it was argued, was essential if the esthetic natural setting of the seashore was to be adequately protected since the Ridge is the natural visual barrier between the seashore and lands further inland. In addition to its line-of-sight value, it was important to include all of these lands in order to assure the integrity of the watershed, as well.

Apparently, this boundary error went unnoticed in the complicated metes and bounds description when the original legislation was enacted in 1962. Relatively recently it was learned that certain residential dwellings had been constructed or were being planned along the Ridge. This development generated further review and the discovery of the error in the boundary which H.R. 11013, as amended, is designed to correct.

As explained to the Committee, some of the landowners involved are willing to sell their holdings to the United States so that the lands

can be included in the seashore. Undoubtedly, since some choice sites are involved, some will not sell unless their lands are acquired by eminent domain. In all cases, the landowners will be entitled to just compensation for any lands included in the seashore.

This boundary change—which involves less than 170 acres in a seashore now totaling 64,850 acres—has, in fact, been endorsed by the local county planning commission and reflects a memorial approved by the California Assembly urging the Congress “to change the boundaries of the Point Reyes National Seashore to include within it the last remaining undeveloped parcel on Inverness Ridge overlooking the national seashore....”

COMMITTEE AMENDMENT

The only substantive Committee amendment to H.R. 11013 would add 167.83 acres to the Point Reyes National Seashore. All of these lands are located along the Inverness Ridge and are adjacent to the existing national seashore.

COST

While the Farallon Wilderness Area will require no additional Federal investment, Title II of the bill relating to the Point Reyes addition authorizes the appropriation of not more than \$200,000 to acquire the lands involved. In making this recommendation, the Committee notes that the land acquisition program for this seashore is now virtually complete—only 577 acres of the lands in the land acquisition program remain in private ownership and they are included in the acquisition program presently underway. It is anticipated that between \$7 and \$8 million of the existing authorization ceiling will not be needed and will be available for use at other project areas.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends that H.R. 11013, as amended, be approved. The bill was unanimously reported, with the amendment, by a voice vote.

DEPARTMENTAL REPORT

The favorable report of the Department of the Interior follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 17, 1973.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on H.R. 5422, sections 1(d), 1(n), 2(b), 2(c), and 2(i), a bill “To designate certain lands as wilderness.”

We recommend enactment of sections 1(d) and 1(n) of this bill and defer to the views of the Department of Agriculture with regard to sections 2(b), 2(c), and 2(i).

Section 1(d) of H.R. 5422 would designate as wilderness certain lands in the Farallon National Wildlife Refuge, California. This section is identical to a proposal submitted by the President, on recommendation of this Department, to the Congress on April 24, 1971. Section 1(n) would designate as wilderness certain lands in the Bosque del Apache National Wildlife Refuge, New Mexico. This section is identical to a proposal submitted by the President on February 8, 1972. Accordingly, we recommend enactment of these sections of H.R. 5422.

Sections 2(b), 2(c), and 2(i) correspond to proposals submitted by the President upon the recommendation of the Department of Agriculture. We defer to the views of that Department on these sections of the bill.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ACT OF SEPTEMBER 13, 1962 (76 STAT. 538), AS AMENDED (16 U.S.C. 459c-1)

* * * * *

SEC. 2. (a) The area comprising that portion of the land and waters located on Point Reyes Peninsula, Marin County, California, which shall be known as the Point Reyes National Seashore, is described as follows by reference to that certain boundary map, designated NS-PR-7001, dated June 1, 1960, on file with the Director, National Park Service, Washington, District of Columbia.

Beginning at a point, not monumented, where the boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines meets the average high tide line of the Pacific Ocean as shown on said boundary map;

Thence southwesterly from said point 1,320 feet offshore on a prolongation of said boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines;

Thence in a northerly and westerly direction paralleling the average high tide line of the shore of the Pacific Ocean; along Drakes Bay, and around Point Reyes;

Thence generally northerly and around Tomales Point, offshore a distance of 1,320 feet from average high tide line;

Thence southeasterly along a line 1,320 feet offshore and parallel to the average high tide line along the west shore of Bodega Bay and

Tomales Bay to the intersection of this line with a prolongation of the most northerly tangent of the boundary of Tomales Bay State Park;

Thence south 54 degrees 32 minutes west 1,320 feet along the prolongation of said tangent of Tomales Bay State Park boundary to the average high tide line on the shore of Tomales Bay;

Thence following the boundary of Tomales Bay State Park in a southerly direction to a point lying 105.4 feet north 41 degrees east of an unimproved road heading westerly and northerly from Pierce Point Road;

Thence south 41 degrees west 105.4 feet to a point on the north right-of-way of said unimproved road;

Thence southeasterly along the north right-of-way of said unimproved road and Pierce Point Road to a point at the southwest corner of Tomales Bay State Park at the junction of the Pierce Point Road and Sir Francis Drake Boulevard;

Thence due south to a point on the south right-of-way of said Sir Francis Drake Boulevard;

Thence southeasterly along said south right-of-way approximately 3,100 feet to a point;

Thence approximately south 19 degrees west approximately 300 feet;

Thence south approximately 400 feet;

Thence southwest to the most northerly corner of the Inverness watershed area;

Thence southerly and easterly along the west property line of the Inverness watershed area approximately 9,040 feet to a point near the intersection of this property line with an unimproved road as shown on said boundary map;

Thence southerly along existing property lines that roughly follow said unimproved road to its intersection with Drakes Summit Road and to a point on the north right-of-way of Drakes Summit Road;

Thence easterly approximately 1,000 feet along the north right-of-way of said Drakes Summit Road to a point which is a property line corner at the intersection with an unimproved road to the south;

Thence southerly and easterly and then northerly, as shown approximately on said boundary map, along existing property lines to a point on the south right-of-way of the Bear Valley Road, approximately 1,500 feet southeast of its intersection with Sir Francis Drake Boulevard;

Thence easterly and southerly along said south right-of-way of Bear Valley Road to a point on a property line approximately 1,000 feet west of the intersection of Bear Valley Road and Sir Francis Drake Boulevard in the village of Olema;

Thence south approximately 1,700 feet to the northwest corner of property now owned by Helen U. and Mary S. Shafter;

Thence southwest and southeast along the west boundary of said Shafter property to the southwest corner of said Shafter property;

Thence approximately south 30 degrees east on a course approximately 1,700 feet to a point;

Thence approximately south 10 degrees east on a course to the centerline of Olema Creek;

Thence generally southeasterly up the centerline of Olema Creek to a point on the west right-of-way line of State Route Numbered 1;

Thence southeasterly along westerly right-of-way line to State Highway Numbered 1 to a point where a prolongation of the boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines would intersect right-of-way line of State Highway Numbered 1;

Thence southwesterly to and along said south boundary line of Rancho Punta de los Reyes (Sobrante) approximately 2,900 feet to a property corner;

Thence approximately south 38 degrees east approximately 1,500 feet to the centerline of Pine Gulch Creek;

Thence down the centerline of Pine Gulch Creek approximately 400 feet to the intersection with a side creek flowing from the west;

Thence up said side creek to its intersection with said south boundary line of Rancho Punta de los Reyes (Sobrante);

Thence southwest along said south boundary line of Rancho Punta de los Reyes to the point of beginning, containing approximately 53,000 acres. Notwithstanding the foregoing description, the Secretary is authorized to include within the Point Reyes National Seashore the entire tract of land owned by the Vedanta Society of Northern California west of the centerline of Olema Creek, in order to avoid a severance of said tract.

(b) The area referred to in subsection (a) shall also include a right-of-way to the aforesaid tract in the general vicinity of the northwesterly portion of the property known as "Bear Valley Ranch", to be selected by the Secretary, of not more than four hundred feet in width, together with such adjoining lands as would be deprived of access by reason of the acquisition of such right-of-way.

(c) *The Point Reyes National Seashore shall include, in addition to those lands hereinbefore described, such lands as are depicted on the map entitled "Planning Map, Point Reyes National Seashore, Marin County, California", numbered 8530/30006A and dated February 1974, to which a legal description of such lands shall be attached. For the purposes of this subsection, there are authorized to be appropriated for the acquisition of lands such sums as may be necessary, but not to exceed \$200,000.*

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DESIGNATING CERTAIN LANDS IN THE FARALLON NATIONAL WILDLIFE REFUGE, SAN FRANCISCO COUNTY, CALIF., AS WILDERNESS AND ADDING CERTAIN LANDS TO POINT REYES NATIONAL SEASHORE, CALIF.

OCTOBER 3, 1974.—Ordered to be printed

Mr. BIBLE, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 11013]

The Committee on Interior and Insular Affairs, to which was referred the act (H.R. 11013) to designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the act, as amended, do pass.

PURPOSE OF BILL

The purpose of H.R. 11013, as amended, is to designate certain lands located within the Farallon National Wildlife Refuge as wilderness and to add approximately 448.83 acres to the existing Point Reyes National Seashore.

TITLE I—FARALLON WILDERNESS

EXPLANATION AND NEED

The Wilderness Act of September 3, 1964 (78 Stat. 890), directed the Secretary of Agriculture to review, within ten years, areas within the National Forest System to determine their suitability for preservation as wilderness. The Secretary of the Interior was directed to review areas within national parks, national monuments, wildlife refuges and game ranges for the same purpose. Upon finding that the areas so studied were suitable for wilderness designation, the respective Departments were directed to submit their recommendations to the President in order that he might advise the Congress of his recom-

mendations regarding these areas. Any such recommendation of the President for designation of an area as wilderness becomes effective only if so provided by an act of Congress.

The above outlined procedure was followed in the case of the Farallon proposal. The Presidential recommendation is dated April 28, 1971, and it, together with the accompanying explanation and justification, is contained in House Document 92-102, Part 10.

This proposed wilderness contains 141 acres of the existing 211 acre Farallon National Wildlife Refuge. The refuge consists of the emerged land of four rugged and picturesque island groups above mean high tide. It extends over about seven miles of Pacific Ocean, 28 miles offshore from San Francisco County, California. The proposal includes all of the islands except the 70-acre southeast Farallon Island which has an extensive lighthouse installation. Personnel from the Point Reyes Bird Observatory are residents on the island and Coast Guardsmen stay overnight on an intermittent basis.

Middle Farallon is a single rock, 50 yards in diameter and 20 feet high. The North Farallons are four miles to the north in two clusters of bare precipitous rocks. They reach a height of 155 feet. Noonday Rock, three miles further to the north, is awash most of the time and is a feeding ground for diving birds.

The Farallon Refuge was originally the three northern island groups of 91 acres, established in 1909 by Executive order of President Theodore Roosevelt. The Southeast Farallons were added by Executive order in 1969. The U.S. Coast Guard has primary jurisdiction of this addition and concurs in this proposal.

Geologically, the Farallon Islands are a granitic formation of a decomposing crystalline type. There are some pockets of shallow soil, particularly on the less vertical portions of Southeast Farallon. No significant mineral deposits are known to exist on any of the islands.

The climate is characterized by frequent strong winds and dense fog. Rainfall occurs mainly during winter, with summer moisture usually limited to damp fogs. Annual precipitation is approximately 10 inches.

Vegetation is sparse. Farallon weed, a plant indigenous to the islands, predominates. Fourteen other native plants, 68 marine algae, and six lichens have been identified on Southeast Farallon and most of these occur on certain of the other islands as well.

The refuge preserves the natural condition of the islands and provides protection to some 200,000 nesting sea birds of 11 species. There are no active habitat management programs on the islands. The cormorant colony complex is the largest on the Pacific Coast outside Alaska. Also present are the Cassin's auklet, western gull, ashy petrel, common murre, tufted puffin, and black oystercatcher. The California and Stellar sea lions haul out on these rocks.

Access to the islands is limited to protect bird colonies, but boat tours around the refuge are sponsored by the San Francisco Bay area chapter of the National Audubon Society for birdwatching.

TITLE II—POINT REYES NATIONAL SEASHORE ADDITION

By way of background, it should be noted that the legislative history of the original Act creating the Point Reyes National Seashore

strongly suggests that the Inverness Ridge, south of Tomales Bay State Park, should be the boundary for this portion of the seashore. This, it was argued, was essential if the esthetic natural setting of the seashore was to be adequately protected since the Ridge is the natural visual barrier between the seashore and lands further inland. In addition to its line-of-sight value, it was important to include all of these lands in order to assure the integrity of the watershed, as well.

Apparently, this boundary error went unnoticed in the complicated metes and bounds description when the original legislation was enacted in 1962. Relatively recently it was learned that certain residential dwellings had been constructed or were being planned along the Ridge. This development generated further review and the discovery of the error in the boundary which H.R. 11013 is designed to correct.

COMMITTEE AMENDMENT

The Committee amended H.R. 11013 by adding the Kelham property, consisting of 281 acres, on which is to be constructed and maintained a visitors' center. The Committee also deleted the authorization of \$200,000 because it is expected that the existing authorization ceiling in the Point Reyes Act will be adequate to fund the additional land to be acquired under H.R. 11013.

COST

Title I of H.R. 11013 which designates the Farallon Wilderness Area will require no expenditure of Federal funds. As stated previously, it is anticipated that the existing authorization ceiling should be adequate to complete the acquisition of land contemplated by Title II of H.R. 11013, as amended. Therefore, enactment of H.R. 11013, as amended, will result in no increased costs to the Federal Government.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs in open mark-up session on September 18, 1974, unanimously ordered H.R. 11013, as amended, favorably reported to the Senate.

DEPARTMENTAL REPORTS

A report from the Department of the Interior on H.R. 11013 is set forth in full as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 20, 1974.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on H.R. 11013, a bill in the Senate "To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes."

We recommend enactment of this bill, if amended as suggested herein.

As passed by the House, title I of the bill would designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness. This title is identical in substance to the wilderness proposal submitted by the President to the Congress on April 29, 1971, and we favor its enactment. Title II identifies certain lands to be added to the Point Reyes National Seashore, California, and authorizes not to exceed \$200,000 to be appropriated for the acquisition of these lands.

The lands described in the map referred to in title II comprise approximately 167.83 acres, of which 166.77 acres are privately owned and 1.06 acres are owned by the North Marin Municipal Water District. We estimate the cost of acquiring these private lands at approximately \$375,000. The lands owned by the North Marin Municipal Water District would be included within the boundaries of the national seashore, but would remain in the public ownership of the Water District.

We believe that addition of these lands to the national seashore is not a matter of priority at this time. We would also point out that there are already substantial and more meritorious claims on the Land and Water Conservation Fund. In light of the critical inflation problem which the Nation is facing today, we believe that this expenditure cannot be justified. Accordingly, we recommend that the bill be amended by deleting title II.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of Rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, H.R. 11013, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF SEPTEMBER 13, 1962 (76 STAT. 538), AS AMENDED (16 U.S.C. 459c-1)

SEC. 2. (a) [The area comprising that portion of the land and waters located on Point Reyes Peninsula, Marin County, California, which shall be known as the Point Reyes National Seashore, is described as follows by reference to that certain boundary map, designated NS-PR-7001, dated June 1, 1960, on file with the Director, National Park Service, Washington, District of Columbia.

Beginning at a point, not monumented, where the boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines meets the average high tide line of the Pacific Ocean as shown on said boundary map;

Thence southwesterly from said point 1,320 feet offshore on a prolongation of said boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines;

Thence in a northerly and westerly direction paralleling the average high tide line of the shore of the Pacific Ocean; along Drakes Bay, and around Point Reyes;

Thence generally northerly and around Tomales Point, offshore a distance of 1,320 feet from average high tide line;

Thence southeasterly along a line 1,320 feet offshore and parallel to the average high tide line along the west shore of Bodega Bay and Tomales Bay to the intersection of this line with a prolongation of the most northerly tangent of the boundary of Tomales Bay State Park;

Thence south 54 degrees 32 minutes west 1,320 feet along the prolongation of said tangent of Tomales Bay State Park boundary to the average high tide line on the shore of Tomales Bay;

Thence following the boundary of Tomales Bay State Park in a southerly direction to a point lying 105.4 feet north 41 degrees east of an unimproved road heading westerly and northerly from Pierce Point Road;

Thence south 41 degrees west 105.4 feet to a point on the north right-of-way of said unimproved road;

Thence southeasterly along the north right-of-way of said unimproved road and Pierce Point Road to a point at the southwest corner of Tomales Bay State Park at the junction of the Pierce Point Road and Sir Francis Drake Boulevard;

Thence due south to a point on the south right-of-way of said Sir Francis Drake Boulevard;

Thence southeasterly along said south right-of-way approximately 3,100 feet to a point;

Thence generally southeasterly up the centerline of Olema Creek to a point on the west right-of-way line of State Route Numbered 1:

Thence southeasterly along westerly right-of-way line to State Highway Numbered 1 to a point where a prolongation of the boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines would intersect right-of-way line of State Highway Numbered 1;

Thence southwesterly to and along said south boundary line of Rancho Punta de los Reyes (Sobrante) approximately 2,900 feet to a property corner;

Thence approximately south 38 degrees east approximately 1,500 feet to the centerline of Pine Gulch Creek;

Thence down the centerline of Pine Gulch Creek approximately 400 feet to the intersection with a side creek flowing from the west;

Thence up said side creek to its intersection with said south boundary line of Rancho Punta de los Reyes (Sobrante);

Thence southwest along said south boundary line of Rancho Punta de los Reyes to the point of beginning, containing approximately 53,000 acres. Notwithstanding the foregoing description, the Secretary is authorized to include within the Point Reyes National Seashore the entire tract of land owned by the Vedanta Society of Northern California west of the centerline of Olema Creek, in order to avoid a severance of said tract.]

The area comprising that portion of the land and waters located on Point Reyes Peninsula, Marin County, California, which shall be known as the Point Reyes National Seashore, is described as the area within the boundaries generally depicted on the map intitled 'Boundary Map, Point Reyes National Seashore, Marin County, California', numbered 612-80,008-H, and dated August 1974, which shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior.

(b) The area referred to in subsection (a) shall also include a right-of-way to the aforesaid tract in the general vicinity of the north-westerly portion of the property known as "Bear Valley Ranch", to be selected by the Secretary, of not more than four hundred feet in width, together with such adjoining lands as would be deprived of access by reason of the acquisition of such right-of-way.

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Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes.

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

TITLE I

SEC. 101. In accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Farallon National Wildlife Refuge, California, which comprise about one hundred and forty-one acres and which are depicted on a map entitled "Farallon Wilderness—Proposed" and dated October 1969, and revised March 1970, are hereby designated as wilderness. The map shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 102. The area designated by this Act as wilderness shall be known as the Farallon Wilderness and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

TITLE II

SEC. 201. Subsection (a) of section 2 of the Act of September 13, 1962 (76 Stat. 538), describing the boundaries of the Point Reyes National Seashore, California, is amended to read as follows:—

"SEC. 2. (a) The area comprising that portion of the land and waters located on Point Reyes Peninsula, Marin County, California, which shall be known as the Point Reyes National Seashore, is described as the area within the boundaries generally depicted on the map entitled 'Boundary Map, Point Reyes National Seashore, Marin County, California', numbered 612-80,008-B, and dated August 1974, which shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior."

SEC. 202. The Secretary of the Interior shall, as soon as practicable after the date of enactment of this title, publish an amended description of the boundaries of the Point Reyes National Seashore in the Federal Register, and thereafter he shall take such action with regard to such amended description and the map referred to in section 201 of this title as is required in the second sentence of subsection (b) of section 4 of the Act of September 13, 1962, as amended.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

December 16, 1974

Dear Mr. Director:

The following bills were received at the White House on December 16th:

✓ S.J. Res. 263	✓ H.R. 14749
✓ H.R. 1355	✓ H.R. 15067
✓ H.R. 5056	✓ H.R. 15818
✓ H.R. 7072	✓ H.R. 16006
✓ H.R. 7077	✓ H.R. 16424
✓ H.R. 11013	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.