

SEC. 3. The Secretary shall administer the Sawtooth National Recreation Area in such manner as will best provide for (1) the protection and conservation of the salmon and other fisheries, (2) the conservation and development of scenic, historic, pastoral, wildlife, and other values contributing to and available for public enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) on federally owned lands, the management, utilization, and disposal of natural resources, such as lumbering, grazing, and mining, that will not substantially impair the purposes for which the recreation area is established.

SEC. 4. Subject to the limitations hereinafter set forth, the Secretary may acquire by purchase with donated or appropriated funds, by gift, exchange, bequest, or otherwise, such lands or interests therein within the boundaries of the recreation area as he determines to be needed for the purposes of this Act. But any property or interest within the reservation area owned by the State of Idaho or any political subdivision thereof may be acquired under the authority of this Act only with the concurrence of the owner.

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within the boundaries of the recreation area and convey to the grantor of such property any federally owned property within the State of Idaho under the jurisdiction of the Secretary, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act.

SEC. 5. (a) The authority of the Secretary to acquire an interest in private property by condemnation shall be subject to the provisions of this section.

(b) The Secretary shall make and publish regulations setting standards for the use of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the use and development of privately owned property is consistent with the purposes of this Act and with the overall general plan of the Sawtooth National Recreational Area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary.

All regulations adopted under this Act shall be promulgated in conformity with the provisions of the Administrative Procedure Act: No regulation shall be promulgated for any purpose described in this Act unless a public hearing has been conducted and opportunity for review has been accorded in conformity with the provisions of sections 7 and 8 of the Administrative Procedure Act.

(c) To assure that private land within the boundaries of the national recreation area is used in a manner which is not detrimental to the purposes of this Act, the Secretary is authorized to procure by gift, purchase with donated or appropriated funds or otherwise, scenic easements within the boundaries of the recreation area.

As used in this Act the term "scenic easement" means the right to control the use of land (including the air space above such land) in order to protect the esthetic values for the purposes of this Act, but shall not preclude any customary or traditional use exercised by the owner prior to the acquisition of the easement.

(d) Where an owner of private property within the exterior boundaries of the recreation area as of the date of this Act, or his heirs, desires to dispose of such property to the Federal Government, the Secretary shall purchase said property at a price that shall include compensation for any decrease in the value thereof that may have resulted from the promulgation of regulations, zoning or scenic easements as a consequence of the establishment of the recreation area: *Provided, however*, That the provisions of this subsection shall cease to be in effect after a period of ten years from the date of enactment of this Act.

(e) The limitations hereinabove set forth on the authority to condemn an interest in lands shall not apply to property which the Secretary determines to be needed for easements for access to and utilization of public property: *Provided*, That the acquisition for such purposes shall not exceed 5 per centum of the total acreage of all privately owned property in the recreation area.