

14. FPC PROVISIONS

Aspinall: Would prevent the licensing of dams or other project works on or directly affecting any rivers designated as part of the system; precludes Federal agencies from assisting by loan, grant, or otherwise any water resource projects on or directly affecting any such river. Also provides similar protection for the rivers specifically listed in the bill for future study.

Senate-passed: Unless specifically authorized by Congress, precludes the Federal Power Commission from licensing *new* dams or project works in any national wild or scenic river area. Also provides similar protection for the rivers listed in the bill for future study.

Saylor: Provides that *no* dam or other project works shall be constructed, operated, or maintained in any designated national scenic river area or in certain river areas to be studied for such designation, unless specifically authorized by the Congress.

Reuss: Similar to Senate provision.

15. ACQUISITION AUTHORITY

All bills provide that lands or interests therein may be acquired by donation, purchase with donated or appropriated funds or exchange. Land owned by State or Indian tribe may be acquired only with consent. No acquisition of county-owned land without its consent as long as county is following land management plan approved by Secretary.

In addition—

Aspinall: On exchange of properties of unequal value cash equalization provision is *permissive* rather than mandatory. Silent on availability of L&WCF for land acquisition.

Senate-passed: Lands in NPS, NWR, and revested O&C Railroad and reconveyed Coos Bay Wagon Road grant lands are not to be exchanged. Where scenic easements are acquired prior uses shall not be affected. L&WCF available for land acquisition.

Saylor: L&WCF available for land acquisition.

Reuss: L&WCF available for land acquisition.

16. CONDEMNATION LIMITATIONS

All bills provide no condemnation authority of city, village, or borough land as long as local zoning is approved by Secretary.

In addition—

Aspinall: Precludes condemnation of lands owned by, or within boundaries of any political subdivision of a State or held by or for an Indian tribe, or owned by a State, unless (1) in the case of lands within a political subdivision, there are not in effect valid zoning laws approved by the Secretary, or (2) in the case of lands owned by a political subdivision, the subdivision is not following a land management plan, approved by the Secretary. (Amendment suggested in our report to bring into line with Senate version.)

Senate-passed: Precludes condemnation of lands or interests therein (other than scenic easements), without the owner's consent, where 50 percent or more of the wild or scenic river area is in public ownership; none of the other bills contains such a provision. Where less than 50 percent of the area is in public ownership, limits the acquisition of a fee title, by condemnation or any other method, on both sides of the river to a total of not more than 100 acres per mile.

Saylor: Limits condemnation of a fee title to not more than one mile on either side of the river, and condemnation of a less than fee title to not more than two miles on either side of the river.

Reuss: Generally limits the acquisition of a fee title, by condemnation or any other method, on both sides of the river to a total of not more than 100 acres per mile.