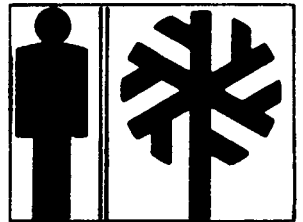


Land Protection Plan

Lassen Volcanic

Lassen Volcanic National Park





United States Department of the Interior

NATIONAL PARK SERVICE
LASSEN VOLCANIC NATIONAL PARK
POST OFFICE BOX 100
MINERAL, CALIFORNIA 96063-0100
916-595-4444

IN REPLY REFER TO:

L14(LAVO)

June 6, 1988

| | |
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| Western Regional Office | |
| 14 JUN 1988 | |
| Regional Director | |
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| Operations | |
| Res. Mgmt. Div. | |
| Administration | |
| Operations Eval. | |
| Public Affairs | |
| EO | |
| Budget | |
| Action Taken | |

Memorandum

To: Regional Director, Western Region

From: Superintendent, Lassen Volcanic National Park

Subject: Land Protection Plan revision

Attached is a revised copy of the Park's Land Protection Plan. The Changes are minor and have no impact on the intent of the Plan. We need 36 copies of the revised Plan. We assume that the graphics for the Plan are in the Regional Office.

Please note design change on cover and changes on signature page. On page 7, section E. Previous Acquisitions, we removed all references to cost. On page 8, section C, third paragraph, the spelling of availability has been corrected.

Gilbert E. Blinn

Gilbert E. Blinn

LASSEN VOLCANIC NATIONAL PARK

LAND PROTECTION PLAN
1984

Revised 1988

PREPARED BY:

Wilbert E. Blair
SUPERINTENDENT, Lassen Volcanic National Park

6/17/88
Date

APPROVED BY:

Lawrence
ACTING REGIONAL DIRECTOR, Western Region

6/23/88
Date

PLAN SUMMARY

1. Current Ownership

| | Acres |
|-------------------|------------|
| a. Federal - NPS | 106,366.47 |
| Other | .00 |
| b. State or Local | .00 |
| c. Private | 5.89 |

2. Number of Tracts Remaining to be Protected

| | Hat Creek | Juniper Lake |
|--------------------------------|-----------|--------------|
| NPS Numbered Tracts | 5 | 11 |
| Ownerships (contiguous tracts) | 5 | 7 |
| Improved | 0 | 7 |

3. Methods of Protection

| | Ownerships |
|-------------------------------------|------------|
| Short-Term Land Protection Controls | 12 |
| Long-Term Acquisition | 12 |

4. Statutory Acreage Ceiling

None

5. Authorized Acquisition Ceiling

None

6. Top Priorities

| | Acres |
|---|-------|
| Short-Term | .00 |
| Long-Term Protection of Historic. Natural and Lakeshore Values | 5.89 |

7. Special Considerations

| | Page |
|---|------|
| Short-Term Conditional Private Use is Acceptable | 5 |
| Lassen is an Exclusive Jurisdiction Park | 7 |
| Lassen is an "Inholding" Area | 2 |

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I. INTRODUCTION

In May 1982 the Department of the Interior issued a policy statement for use of the Federal portion of the Land and Water Conservation Fund, which required that in carrying out its responsibility for land protection in Federally administered areas, each agency using the fund will:

--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.

--Use to the maximum extent practical 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 the socio-cultural impacts are considered and that the most outstanding areas are adequately managed.

In response to this policy, the National Park Service prepared a Land Protection Plan for each unit of the National Park System containing non-Federal land.

The purpose of these plans is to identify methods of assuring the protection of the natural, historic, scenic, cultural, recreational or other significant resources and to provide for adequate visitor use. The plans must be prepared in compliance with relevant legislation, other Congressional guidelines, executive orders and Departmental and National Park Service policies. The plans are required to be simple, concise, prepared with public participation and with the utmost attention paid to consideration of the many alternatives available for land protection requirements. In addition, once plans have been approved, revisions or updates will be made as necessary to reflect changing conditions.

Questions that this plan must attempt to answer are as follows:

Do applicable State and local laws and regulations provide protection to private lands within the boundaries to an extent that will fulfill basic park purposes?

Do plans and policies of other agencies provide protection to non-NPS public land to a similar extent?

If answers to either of the above questions is no, then what (if any) agreements can be formulated to achieve the desired level of protection? What incentives might attract a landowner into such an agreement?

What private uses are compatible with NPS management objectives?

In cases where protection levels need to be raised and cannot be done without consideration, what are the minimum interests that need to be acquired?

What methods can provide adequate protection in short and long-term? What factors should govern priorities for acquisition?

Although it is intended that this document will become an important and much used guide to National Park Service managers for long-range budgeting and other planning activities as well as day-to-day decisions, it should not be regarded as an offer to purchase. At the same time, it in no way diminishes the basic rights of any non-Federal landowner to the use and enjoyment of their property rights.

II. PURPOSES OF PARK AND RESOURCES TO BE PROTECTED

A. Purpose

Lassen Volcanic National Park was established to protect the "most recent" volcanic activity in the conterminous United States and its related biotic and cultural resources for the benefit and enjoyment of park visitors. The 1980 eruption of Mount Saint Helens in Washington does not alter the significance of the park. Rather, it enhances the value of Lassen as it provides current evidence of what once happened in the park, and the two areas provide complimentary laboratories for the study of natural processes.

B. Significance of Park Resources

Renewed volcanic activity in 1914 added impetus to local movements to establish a national park in the Lassen region. The uniqueness of which was then the most recently active volcano in the conterminous United States alone qualified Lassen Peak for national park status. However, other important facts weighed heavily on the decision of Congress. Lassen Peak is one of the largest plug dome volcanoes in the world. Previous periods of activity endowed the area with a display of volcanic and thermal phenomena that is duplicated in only a few other places in the world. The relatively undisturbed natural environment reinforces the stature of this area as a national park.

C. Legislative Authorities

Lassen Volcanic National Park is an inholding area. Authority for the acquisition of privately-owned property was given by Congress in 1916 by "an Act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains in the State of California, and for other purposes", approved August 9, 1916, (39 Stat. 44), and by the Land and Water Conservation Fund Act of 1965 (P.L. 88-578, 78 Stat. 897), and amendments thereto. Acquisition will be in accordance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646).

D. Resource Management and Visitor Use

Within the framework of legislative mandates and National Park Service policies, a system of classifying land has been developed to meet the special needs of Lassen Volcanic National Park. The categories of land have been influenced by legal constraints, such as wilderness areas, resources like outstanding volcanic and cultural features, public health and safety, existing patterns of visitor use, and future development needs as identified in this plan. Land classification provides a control for future use and management of the park.

There are four major land management zones in the park. The largest is the Natural Zone which contains outstanding natural features. Second is the Historic Zone which contains the Nobles Immigrant Trail. Third is the Development Zone in which all administrative and residential facilities are located. The fourth is the Special Use Zone in which all privately-owned lands which have not been acquired by the Government still exist. This plan will concentrate on the Special Use Zones at Juniper Lake and Hat Creek where properties remain in private ownership.

The total park acreage according to the Master Deed List is 106,372.36 acres.

E. Resource to be Protected

1. Resource Description

Juniper Lake is a relatively undeveloped area and is the preferred destination for many park visitors seeking a primitive experience. It is one of the most beautiful, natural, forested settings in the park and is accessible only by a rough dirt road. The forest in this area is climax red fir containing an overstory of overmature trees and a limited understory of small trees, low brush and grass. The area is on moderate slopes and grading for roads, driveways and homesites is minimal. Water for home-site use is obtained from surface sources.

The campground is very small, has pit toilets and no running water. According to the campground register, this is what people want and would like to see it stay this way. The only development in this area, aside from the road, is a small ranger station that is manned during the summer months and seven privately-owned summer cabins.

Hat Creek is a natural forested area that has many resources that must be protected. The Badger Flat Road provides access to this area and is a part of the historic Nobles Immigrant Trail. Hat Creek is a natural fish habitat that provides excellent fishing. The entire area is important geologically because the eruption of Lassen Peak in 1915 created a huge mudflow that followed the Hat Creek drainage.

This area contains the early seral stages of riparian and pine habitats resulting from revegetation over mudflows from Lassen Peak's most recent eruption and is one of the most significant floodplains in the park. The Badger Flat Road provides access to a trailhead and privately-owned property, but it is locked at its junction with the main park road. This road will eventually be allowed to revert to a trail.

2. Land Management Objectives

The long-term management objectives for the Hat Creek and Juniper Lake areas are to restore and/or maintain the natural ecosystems so that ecological processes may be perpetuated; also, to provide quality opportunities for visitor understanding and enjoyment of the area's resources.

At Hat Creek one cabin remains which is owned by the Government, but the previous owner has a 25-year occupancy right that will terminate in the year 2000. At that time, the cabin will be removed and no developed properties will remain. After all privately-owned properties are acquired, the Badger Flat Road will be obliterated and allowed to revert to a trail.

Snowmobile use is not allowed in the Juniper Lake area except by Special Use Permit to property owners to use the unplowed road for access to their property. Unauthorized use has occurred occasionally, but no significant damage has been noted because of this activity. Because of the remoteness of this area during the winter months, it is impossible for Park Rangers to provide protection and enforce regulations in the areas.

The short-term objectives of this plan are to prohibit incompatible uses. The privately-owned properties at Hat Creek are undeveloped and in an almost natural state. No new structures will be allowed. Use of these properties will be monitored to ensure that incompatible use does not occur. At Juniper Lake all privately-owned properties are developed. Use in this area will also be monitored to ensure that incompatible use does not occur. The short-range objectives for both of these areas will be to prevent resource damage in order to ensure that the long-term objectives will be achieved.

III. NON-FEDERAL OWNERSHIP AND USE

A. Private Non-Federal Lands

There are twelve (12) privately-owned, non-Federal tracts of land within the park with a total of 5.89 acres. Some have improvements on them and others are completely undeveloped. All are located in forested areas.

At Juniper Lake there are seven small ownerships for a total of 2.28 acres. all of them have improvements consisting of summer cabins. These inholdings are accessible by a dirt road and are used primarily during the summer months. They are situated along the northwest shore of Juniper Lake.

An unsurfaced road along Hat Creek provides access to private property and a trailhead about two miles north of Hat Lake. The private property consists of five small unimproved lots totalling 3.61 acres.

There are two tracts that are owned by the Government, but being occupied on 25-year reservations. They are Tract 01-155 on Hat Creek and Tract 04-142 at Juniper Lake. The Hat Creek and Juniper Lake private properties are located in relatively remote areas. Juniper Lake is the closest to an existing community being 14 miles from the town of Chester. Commercial utilities are not available in either of the areas.

B. Compatible and Incompatible Uses

1. Compatible Short-Term Uses - Uses and activities on private lands within either the Juniper Lake or Hat Creek areas that are compatible with preserving park values are as follows:

Existing uses are permissible as long as they do not interfere with long-range objectives for resource management.

Continued occupancy of existing private summer cabins at the current level of use.

Normal maintenance and repair of private property.

Minor modifications to existing structures and outbuildings.

Repairs and reconstruction in compliance with appropriate sanitary codes.

Replacement of roofing or siding with similar materials or colors. Shoring up structures threatened by snow or subsidence of soil.

Repair or replacement of utility lines.

Reconstruction of accidentally destroyed structures with one of the same type and size.

The razing of a building, and the replacement of a new structure of essentially the same size and design to serve the same purpose and occupying essentially the same site.

2. Incompatible Uses - These uses are incompatible with both long and short-term management objectives.

Splits in ownership or sell-off of portions of the land wherein timbering, mining, geothermal exploration or development or initiation of new uses affecting park resources is contemplated.

Any new permanent structure not required for current level of occupancy.

Any uses which would damage the resources that the park area was established to protect. New cabins or residences on private land.

Modifications or alterations to existing structures or new construction having one or more of these characteristics:

New separate residences or new residences physically linked to the existing structure.

Replacement of a (major) structure with one that is substantially different in size, location or purpose from its predecessor.

Impairment of historical integrity of an identified historic structure, or other features.

Conversion of existing structure to sleeping or living quarters.

Commercial activities on private property.

Clear and significant damage to natural, scientific, scenic, historic or cultural resources including topographic changes or disruptions of natural drainage patterns, or disturbance of natural vegetation or wildlife.

Creation of hazards that endanger the safety of park visitors.

Installation/occupancy of house trailers or modular housing units (excluding tents, recreation vehicles or trailers of the landowner or immediate family for short periods of time).

C. External Conditions

All privately-owned lands within the park are completely surrounded by park land. However, coordination with other Federal land managing agencies adjacent to the park will continue to assure that any activities outside park boundaries, such as geothermal leasing, will be resolved in away that will not impact the resources within park boundaries.

D. Influence of County, State and Federal Controls

Lassen Volcanic is an area of exclusive jurisdiction and exercises direct regulatory control of private lands. Executive Order 11752, Prevention, Control and Abatement of Environmental Pollution at Federal Facilities, December 17, 1973, obligates Federal agencies to comply with Federal, State and local standards regarding the quality of air, water and land resources.

E. Previous Acquisition

When Lassen Volcanic was created in 1916, it was carved out of Forest Service and private land. Since that time there have been 4,576.58 acres acquired by all means, and there remains 5.89 acres still in private ownership. The total of all Government owned lands within the park boundary is 106,366.47 acres. Of these acquisitions, only two previous owners of private property have elected to retain the right of use and occupancy for 25 years. There have been 128 parcels with 1,415.23 acres acquired by purchase, one parcel of 40 acres was donated, and 11 parcels of 1,850 acres were exchanged. Forty-six parcels of 1,271.35 acres have been acquired by condemnation or declaration of taking. All of these are fee simple acquisition. The Andrus Trust (Section 36) is included in the 1,271.35 acres and was acquired by Declaration of Taking, dated April 24, 1980.

Lassen has no acquisition ceiling, and minimal funds have been appropriated for additional acquisition as part of the general appropriation for inholdings throughout the National Park System.

F. Social, Cultural, and Economic Considerations

Juniper Lake is the largest body of water in Lassen Volcanic and is located in the southeast corner. An unsurfaced road provides access to the campground, ranger station and then on around to the privately-owned properties on the northwest shore of the lake. In 1892 a State grant gave title to the Juniper Lake subdivision of 475 acres. Since that time, all private properties have been acquired except for 2.28 acres in seven small ownerships with improvements limited to seven summer cabins. Another cabin has been

purchased by the Government, and the owner has retained a 25-year right of occupancy. These cabins are used almost exclusively during the summer months because winters are severe, roads are not plowed, and the area is accessible only by snowmobile, skis or snowshoes. The nearest developed area is the small community of Chester, 17 miles away.

Hat Creek is reached by an unsurfaced, narrow road along Hat Creek. This road is closed to the general public, but provides access to a trailhead and privately-owned property about two miles north of Hat Lake and the Lassen Park Road. Private properties consist of five small unimproved lots totaling 3.61 acres. The Government has acquired and disposed of all cabins in the area except one whose owner has retained a 25-year right of occupancy. Use of these properties by the owners is very light and only during the summer months.

IV. PROTECTION ALTERNATIVES

A number of land protection measures have been considered in arriving at the recommended method. Factors influencing the methods considered and selection of the recommended plan include cost-effectiveness, long-term goals, compatibility of private ownership, exclusive jurisdiction and consideration for long-time owners.

The preferred alternative for land protection must assure preservation and restoration of the natural environment, protection of historical values and enhance the ecological values and public enjoyment of the Hat Creek and Juniper Lake areas.

A. Zoning by Local Authority

Since Lassen is an area of exclusive jurisdiction, zoning laws of the adjoining counties do not apply. Therefore, this alternative will not be given further consideration.

B. Immediate Full Fee Acquisition

If effective, this alternative would allow the most rapid method of reaching the long-term objectives. The long-standing acquisition program has indicated that the few remaining landowners do not wish to sell. Condemnation would involve additional expenses and does not appear to be necessary. The absence of threats to the resources indicates that immediate acquisition is not essential in reaching long-term goals. The National Park Service has already recognized some compatibility in continued residency in allowing two 25-year reservations.

C. Continued Private Ownership/Eventual NPS Acquisition

This alternative provides for meeting long-term goals while recognizing that existing developments do not substantially affect eventual accomplishment of long-term goals. Under this alternative, compatible uses, listed on page 5, established by the land protection planning process would be permitted for the short-term.

Incompatible uses, listed on page 6, would not be permitted by the NPS and serious threats of incompatible development or use would serve as the basis for pursuing immediate acquisition.

Subject to the availability of funding, the National Park Service would purchase properties as they are offered for sale. Life estate or term occupancy reservations would be considered. It is expected that the Juniper Lake properties would continue to be used as in the past while the undeveloped Hat Creek ownerships would be acquired much sooner.

D. Less than Fee

Other methods of protecting park land, aside from outright purchase, is the acquisition of development rights or scenic easements. Sometimes useful for park purposes are public rights-of-way and easements restricting or reserving the right to regulate certain activities. In some cases, they should be able to achieve the same end result as fee acquisition if these methods are properly applied. However, the long-term resource management goals for Hat Creek and Juniper Lake do not allow for any economic private land uses. Acquisition of the development rights for undeveloped properties (Hat Creek), would not leave the owners with a viable use of the properties, and the cost of such rights would approach the cost of full fee. This approach with respect to developed properties (Juniper Lake) has the following drawbacks: All of the properties have already been developed to a stable level, future incompatible development could be controlled under Alternative C, and restoration of natural conditions requires that the property be owned in fee.

E. Social, Cultural and Economic Impacts

The social, cultural and economic impacts of land protection alternatives are assessed here. Environmental impacts are outlined in the environmental assessment in Appendix A to this plan.

The social and cultural impacts from implementation of the alternative land protection tools would be small. Tracts of land are scattered and development is relatively sparse. There are only 12 persons or families that own property in the park. Only seven of the properties are developed with small cabins, and they are used only seasonally as vacation cabins.

The economic impact would vary depending on which alternative is implemented. Zoning, acquisition of development rights, scenic easements, acquisition of public rights-of-way or easements restricting or reserving the rights to regulate certain activities have been determined to be inappropriate or not cost-effective. Restriction of private land used to existing levels would have very little or no immediate impact if they would be acceptable to private land owners.

The most impact would be on the undeveloped properties at Hat Creek. Implementation of Alternative C would restrict use of that land to seasonal camping. The owners would be prevented from constructing permanent struc-

tures, but would be entitled to compensation of the fair market value of the property if sold to the National Park Service.

Juniper Lake private owners would be less impacted since they would be allowed to continue their use of the developed property as they have for many years. However, they would also be entitled to fair market value of the property should they decide to sell to the National Park Service. The greatest impact would be in the loss of exclusive and highly desirable summer cabins, some of which were built many years ago.

The overall impacts would be minor in comparison with the inholding and acquisition problems and costs at other parks in the system.

V. RECOMMENDATIONS

Of the seven ownerships at Juniper Lake, all have improvements. The five at Hat Creek are all unimproved. These tracts amount to a total of only 5.89 acres. Each area has one cabin with retained rights of occupancy that expire in the years 2000 and 2001. These dates are seen as an approximate time for achieving long-range management objectives on acquired lands. None of the properties pose a threat to park resources at this time; however, they prevent achievement of the long-term objectives. None are in high visitor use areas or are needed for administrative purposes.

Alternative C is the recommended alternative in that it allows continued uses which do not substantially affect achieving long-range goals. The two 25-year occupancies do not allow complete achievement of long-range goals until the year 2001 in any event. Threat of incompatible development at either Hat Creek or Juniper Lake does not appear likely in the near future. The plan also allows the National Park Service to acquire properties as they become available as a means of approaching long-term objectives and to compensate landowners who wish to sell or who believe the restrictions of the plan are unacceptable.

Priorities for acquisition generally favor the undeveloped properties, but a detailed prioritization is not needed since there are relatively few tracts, and there is no need for immediate acquisition of any of the tracts at this time.

The order of acquisition will be determined by the availability of the properties, threats of incompatible use and methods of acquisition available.

Methods of Acquisition: When acquiring land, Federal agencies must follow the procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, which requires them to offer to purchase land at not less than its appraised fair market value. However, at the same time the Government may receive donations of the full value of the land as the most direct and least expensive form of land acquisition. Donation may provide tax advantages from the landowner's standpoint, and they should consult with a tax advisor for details. Opportunities for obtaining donated rights to land exist and will be explored as the most desirable, mutually beneficial method of acquiring rights.

The National Park Service may acquire lands or interest in lands by trading available land or interest already under Federal jurisdiction. Exchange provides an opportunity to consolidate or acquire needed interests in land without using appropriated funds.

The bargain sale of land to the National Park Service at less than its fair market value results in part sale and part charitable contribution or donation from the landowner. This tax deductible donation results from the difference between the fair market value of the property and the actual sale price. This acquisition method may have application possibilities in Lassen when donation of fee rights is not feasible.

The preferred methods of acquisition are by donation, bargain sales or exchange. Exchange has been attempted in the past but proved to be ineffective due to the lack of similar high quality Federal land for disposal. This option will be pursued; however, at land owner's preference. Condemnation is not contemplated except in emergency situations or to establish value.

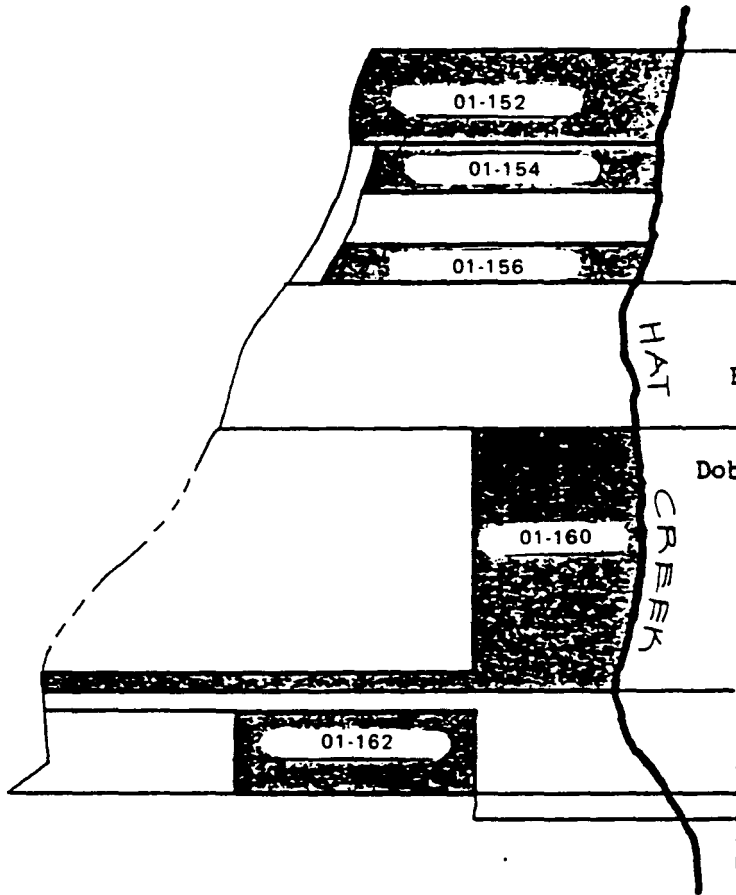
Purchase is also an acceptable method of acquisition and will be used where other methods are not successful.

PRIVATELY OWNED LAND

| Owner | Tract Number | Park Area | Interest | Acreage |
|---|-----------------|-----------|----------|---------|
| <u>Priority No. 1</u> | | | | |
| These undeveloped properties will be acquired as soon as possible. (When offered for sale or if development is initiated.) | | | | |
| Ingram | 01-152 | Hat Creek | Fee | 0.75 |
| Edwards | 01-154 | Hat Creek | Fee | 0.42 |
| Power | 01-156 | Hat Creek | Fee | 0.42 |
| Dobrowsky | 01-160 | Hat Creek | Fee | 1.44 |
| McCune | 01-162 | Hat Creek | Fee | 0.58 |

Priority No. 2
 These developed properties may continue to remain in private ownership
 as long as use is consistent with standards on p. 5-6. Offers to sell
 will be accepted subject to availability of funding.

| | | | | |
|--------------------|----------------------------|--------------|-----|------|
| Busher | 04-105 | Juniper Lake | Fee | 0.31 |
| Cronkhite | 04-126 | Juniper Lake | Fee | 0.11 |
| Brown | 04-129 | Juniper Lake | Fee | 0.10 |
| Wilder | 04-130 | Juniper Lake | Fee | 0.15 |
| Kelley et. al. | 04-133 | Juniper Lake | Fee | 0.23 |
| Schultz et. al. | 04-174 04-175 04-176 | Juniper Lake | Fee | 0.32 |
| Langley | 02-157 02-158 | Juniper Lake | Fee | 1.06 |



| (Owner) | (Acres) | (Improvements) | (Tract) |
|-----------|---------|----------------|---------|
| Ingram | 0.75 | Unimproved | 01-152 |
| Edwards | 0.42 | Unimproved | 01-154 |
| Power | 0.42 | Unimproved | 01-156 |
| Dobrowsky | 1.44 | Unimproved | 01-160 |
| McCune | 0.58 | Unimproved | 01-162 |

LAND-OWNERSHIP

HAT CREEK

LASSEN VOLCANIC NATIONAL PARK
 UNITED STATES DEPARTMENT OF THE INTERIOR
 NATIONAL PARK SERVICE

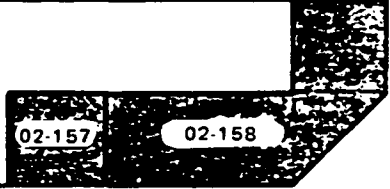
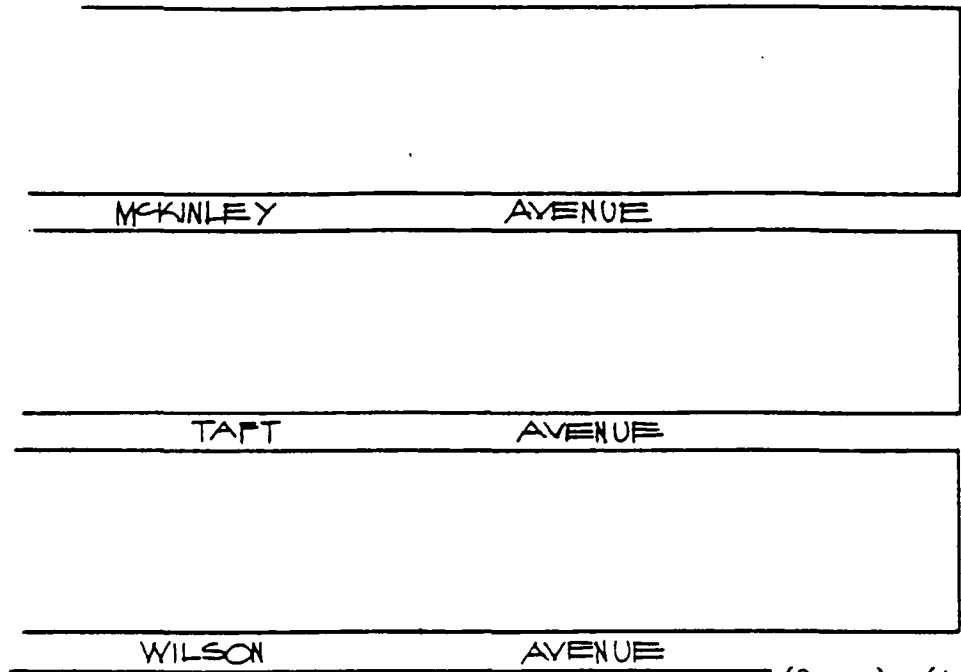
01-162 TRACT NUMBER

PROPOSED ACQUISITION

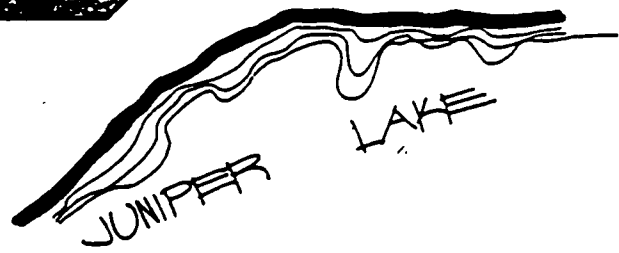
NORTH
 ↑

0 200
 FEET

111 | 30001A
 DEC | JAN 76



| (Owner) | (Acres) | (Improvements) | (Tract) |
|---------|---------|-------------------|---------|
| Langley | 1.06 | House/540 sq. ft. | 02-157 |
| " | | House/728 sq. ft. | 02-158 |



LAND-OWNERSHIP

JUNIPER LAKE
 LASSEN VOLCANIC NATIONAL PARK
 UNITED STATES DEPARTMENT OF THE INTERIOR
 NATIONAL PARK SERVICE

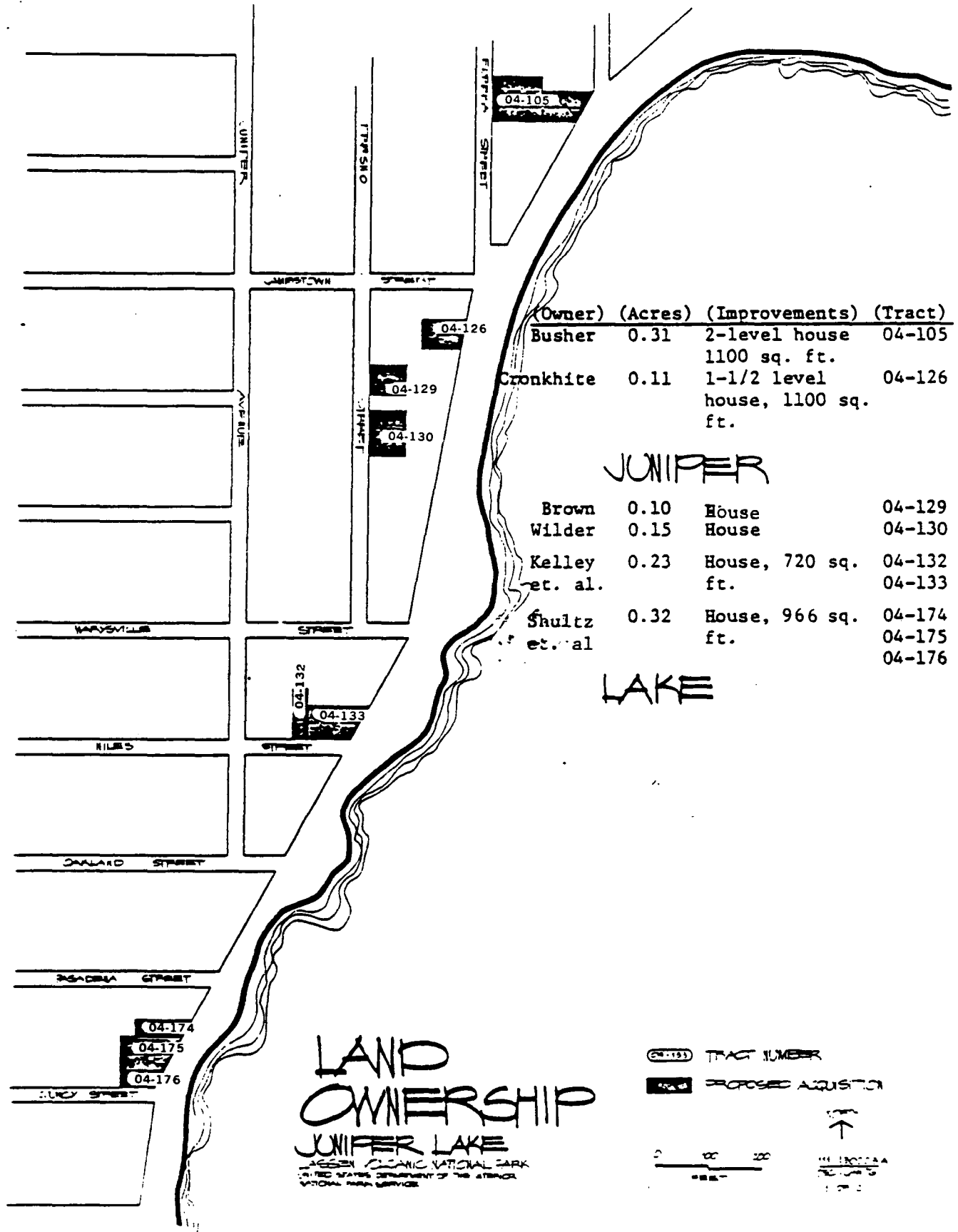


 TRACT NUMBER

 PROPOSED ACQUISITION



111 | 30003A
 DEC | JAN 76
 2 OF 2



| Owner | (Acres) | (Improvements) | (Tract) |
|-------------------|---------|---------------------------------------|----------------------------|
| Busher | 0.31 | 2-level house 1100 sq. ft. | 04-105 |
| Cronkhite | 0.11 | 1-1/2 level house, 1100 sq. ft. | 04-126 |
| Brown | 0.10 | House | 04-129 |
| Wilder | 0.15 | House | 04-130 |
| Kelley et. al. | 0.23 | House, 720 sq. ft. | 04-132 04-133 |
| Shultz et. al. | 0.32 | House, 966 sq. ft. | 04-174 04-175 04-176 |

JUNIPER

LAKE

LAND OWNERSHIP
JUNIPER LAKE
 LASSEN VOLCANIC NATIONAL PARK
 UNITED STATES DEPARTMENT OF THE INTERIOR
 NATIONAL PARK SERVICE

TRACT NUMBER
 PROPOSED ACQUISITION

0 100 200
 FEET

NORTH

Appendix A

ENVIRONMENTAL ASSESSMENT
OF
LAND PROTECTION PLAN
LASSEN VOLCANIC NATIONAL PARK

PURPOSE AND NEED FOR THE ACTION

On May 7, 1983, the Department of Interior published a new final policy statement on use of the Federal portion of the Land and Water Conservation Fund (47 FR 19784). In response to this policy, the National Park Service by Notice in the Federal Register on January 3, 1983, withdrew its 1979 land acquisition policy and guideline (44 F 24290) and is preparing land protection plans for each unit of the National Park System containing non-Federal land or interest in land within its authorized boundary.

Within Lassen Volcanic National Park there are 5.89 acres of private land for which a draft land protection plan has been prepared. None of these properties pose a threat to park resources at this time. The purpose of the plan is to identify methods of assuring the protection of the natural, historic, scenic, recreational or other significant resources and to provide for adequate visitor use. The plan was prepared in compliance with relevant legislation, executive orders and Departmental and National Park Service policies.

ALTERNATIVES

- A. No Action - The no action alternative would provide for no change in the present ownership pattern. Protection of resources to the extent covered by State laws and Federal regulations within an area of exclusive jurisdiction would continue to apply on the private lands within the exterior park boundaries.
- B. Less Than Full Acquisition - Acquisition of development rights, scenic easements, public rights-of-way, easements restricting or reserving the right to regulate certain activities are options of this alternative.
- C. Full Acquisition - Acquisition of all of the private land within Lassen Volcanic National Park would occur individually as properties become available. Life estate or term occupancy reservations would be considered. Acquisition would be based upon a willing seller unless serious threat of incompatible development or use occurred, then condemnation or declaration of taking would become the method of acquisition.

ENVIRONMENTAL IMPACTS OF ALTERNATIVES

Impacts on Vegetation

The two areas in the park containing private land represent distinctly contrasting vegetation complexes. The Juniper Lake area is red fir forest climax containing an overstory of overmature trees and a limited understory of small trees, low brush and grasses. The Hat Creek area contains the early seral stages of riparian and pine habitats resulting from revegetation over mudflows from Lassen Peak's most recent eruption.

A. No Action - Current use levels on private lands will prevent natural revegetation and in the long-term loss of the vegetation type not able to regenerate itself. On park lands adjacent to private properties, the removal of trees posing hazards to buildings and persons will be a continuing requirement.

B. Less Than Full Acquisition - Since less than full acquisition would not change the use patterns to any significant level, vegetation impacts would remain as in Alternative A.

C. Full Acquisition - The long-term effect would be less impact on vegetation. Reforestation and regeneration would occur on developed sites because use would change from seasonal residential to transient. There would be some short-term vegetation and soil impacts from the removal of structures.

Impacts on Wildlife

A. No Action - Restoration of wildlife populations would not occur because of habitats altered by concentrated local use. Removal of hazard trees would further displace local individuals of species dependent on mature tree habitats.

B. Less Than Full Acquisition - As in impacts on vegetation, human use patterns would not change significantly so impacts on wildlife would be the same as the no action alternative.

C. Full Acquisition - In the long term, impacts to wildlife from development would be reduced because as tracts are acquired and developments removed, habitat would increase. There would be short-term impacts from removal of structures and restoring road scars.

Impacts on Endangered/Threatened Species

Three plant species listed or being reviewed for endangered or threatened status by the U.S. Fish and Wildlife Service in the Federal Register, December 5, 1980, (Vol. 45, No. 242), are found in the park. In addition, the range of seven subspecies on the list includes Lassen Volcanic National Park. None of these plants are known as occurring in or near private lands on Juniper Lake or Hat Creek.

No known or threatened or endangered fauna listed on the U.S. Fish and Wildlife Service "Final List of Endangered and Threatened Wildlife" (Federal Register, January 17, 1979) permanently inhabit or breed in the vicinity of private property at Juniper Lake or Hat Creek. Rarely, bald eagles hunting in the vicinity of Snag and Horsehoe Lakes, may fly over Juniper Lake.

Therefore, none of the alternatives in this proposal will affect endangered or threatened species or their habitats.

Impact on Soils

A. No Action - The relatively flat topography and deep soils in the Hat Creek area prevent erosion on denuded areas from becoming a problem. The Juniper Lake area is on moderately steep slopes and grading for roads, driveways and homesites is minimal. The resulting sheet and gully erosion in this area will continue. Soil compaction at both Juniper Lake and Hat Creek sites will also affect soil properties.

B. Less Than Full Acquisition - Soils would be affected the same with this alternative as with Alternative A since no change in the extent or intensity of use would occur.

C. Full Acquisition - After acquisition there would be soil disturbance when developments are removed and erosion could increase when the roads are abandoned. This short-term impact could have long-term effects unless site restoration measures are employed.

Impacts on Water Resources

All private land in the Juniper Lake area abuts the lake's west shore, and the Hat Creek inholdings are all situated adjacent to the stream. Water for homesite use at both sites is obtained from surface sources and quantities are insignificant.

A. No Action - Same impacts as those for vegetation and wildlife. Current human use activity may cause localized erosion and siltation, but control measures can mitigate this impact.

B. Less Than Full Acquisition - Same impacts as those for the no action alternative.

C. Full Acquisition - Restoration of the natural environment will help to ensure the excellent water quality that exists in both watersheds. No significant effects are expected to ground water and long-term impacts would be less than with continued use, assuming that restoration measures are taken after removal of structures.

Impacts on Floodplain/Wetlands

All of Hat Creek from the Lassen Park Road to the park boundary was covered by mudflows in 1915. The mudflows totally altered drainage patterns of the creek so that limits of floodplains for the area have not been established. However, private property in the area is located only a few

feet above normal discharge levels and probably would be affected by 100-year flood levels. Therefore, Alternatives A and B could result in flood damage to the existing development. Alternative C would restore the integrity of one of the park's most significant floodplains.

Noise Level/Air Quality Impacts

Neither Alternative A or B is expected to significantly affect noise levels or air quality in the Juniper Lake or Hat Creek areas except for removal activities under Alternative C which would affect both noise and air quality for short periods.

Lassen Volcanic National Park was automatically designated as Class I under the 1977 Clean Air Amendments. A preliminary assessment of Class I related values has been completed and did not identify any undesirable visibility impairment for the park.

Impacts on Cultural Resources

None of the alternatives will impact cultural resources. None of the properties on private land within the park merit nomination to the National Registry of Historic Places, nor have any met the criteria for inclusion on the List of Classified Structures.

Continued use of the properties will not affect archeological sites if use is not expanded outside private lands. Removal of developments, if limited to existing altered sites, would have no further affect on archeological resources.

Visitor Use Impacts and Impacts on Esthetics

A. No Action - Visitor use would continue as at present. The summer cabins on private land would continue but would have no significant effect on visitor use activity. The cabins and other existing developments would detract from the natural environment but would be acceptable to many as part of the existing character of the area.

B. Less Than Full Acquisition - Same impacts as the no action alternative.

C. Full Acquisition - All tracts would be acquired providing for full visitor use as outlined in the plan and esthetics would be protected concurrently. In addition, the existing cabins on private lands eventually would be acquired and removed, returning the area to natural conditions. This would alter the existing character of the area.

CONSULTATION AND COORDINATION

This land protection plan was prepared by the staff of Lassen Volcanic National Park with the assistance of the Western Regional Office of the National Park Service.

The following Government agencies, organizations and individuals have received copies of the Land Protection Plan and Environmental Assessment.

Federal Agencies

Advisory Council on Historic Preservation
U.S. Fish and Wildlife Service

State Agencies

State Historic Preservation Officer
California Department of Parks and Recreation
California State Clearinghouse
California Department of Fish and Game

Regional/County Agencies

County of Lassen
County of Shasta

Public

All private landowners within the park's boundaries were contacted with a notification of this planning effort. Public notification of the study and request for comments from the general public was accomplished early in the study through a news release. In addition, the draft Land Protection Plan was released to the public for a 30 day public review period which ended July 6, 1984.

FINDING OF NO SIGNIFICANT IMPACT
FOR THE ADOPTION OF A
LAND PROTECTION PLAN
FOR
LASSEN VOLCANIC NATIONAL PARK

The National Park Service proposes to adopt a Land Protection Plan to guide the protection of the remaining non-Federal lands within the boundary of Lassen Volcanic National Park. An environmental assessment was prepared in May 1984 analyzing several options for protecting lands within the park boundary. The alternatives include no action, less than full acquisition and full acquisition.

The environmental assessment and related draft plan were made available for public review and comment for a period of 30 days, ending July 6, 1984. Seven persons commented on the proposed plan and assessment. Comments ranged from concern for restricting the free use of the land by the owners, to differing opinions of the extent of existing and future impacts from the various alternatives.

The National Park Service proposes to implement a Land Protection Plan that allows for continued uses which do not substantially affect achieving the long-term goal of full acquisition. Threat of incompatible development at either area of private ownership does not appear likely in the near future. The plan also allows the National Park Service to acquire properties as they become available as a means of approaching long-term objectives and to compensate landowners who wish to sell or who believe the restrictions of the plan are unacceptable.

No additional environmental compliance steps are necessary prior to plan implementation.

Because the purpose of the plan is to assure the protection of the natural, historic, scenic, cultural, recreational or other significant resources and to provide for adequate visitor use, implementation of the plan will not produce any adverse environmental impacts. Based on these considerations and a review of the environmental assessment, the National Park Service records a "finding of no significant impact." Since this plan does not constitute a major Federal action significantly affecting the environment, an environmental impact statement will not be prepared.

Recommended:



Superintendent, Lassen Volcanic National Park

10/16/84
Date

Approved:

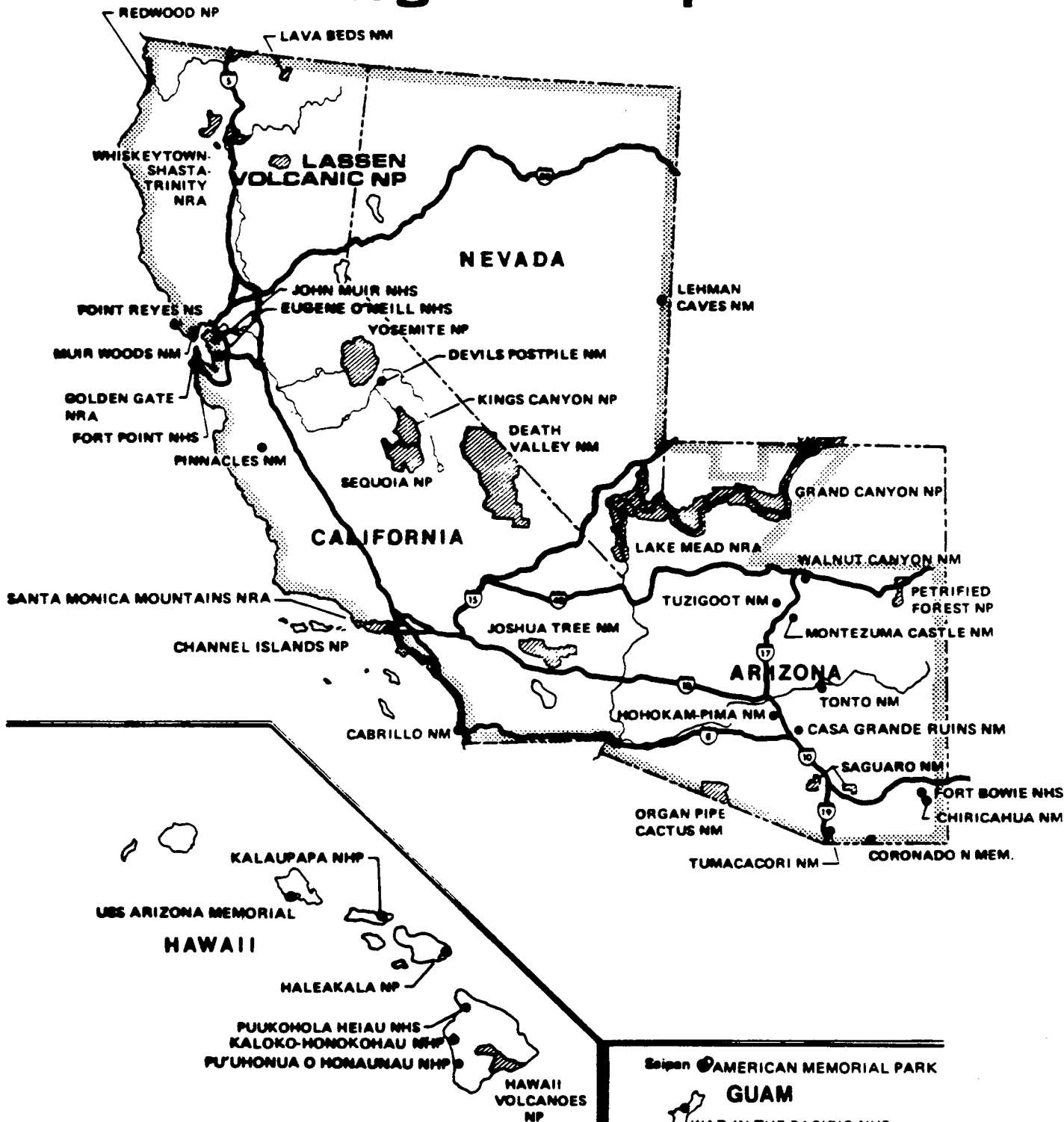


Regional Director, Western Region

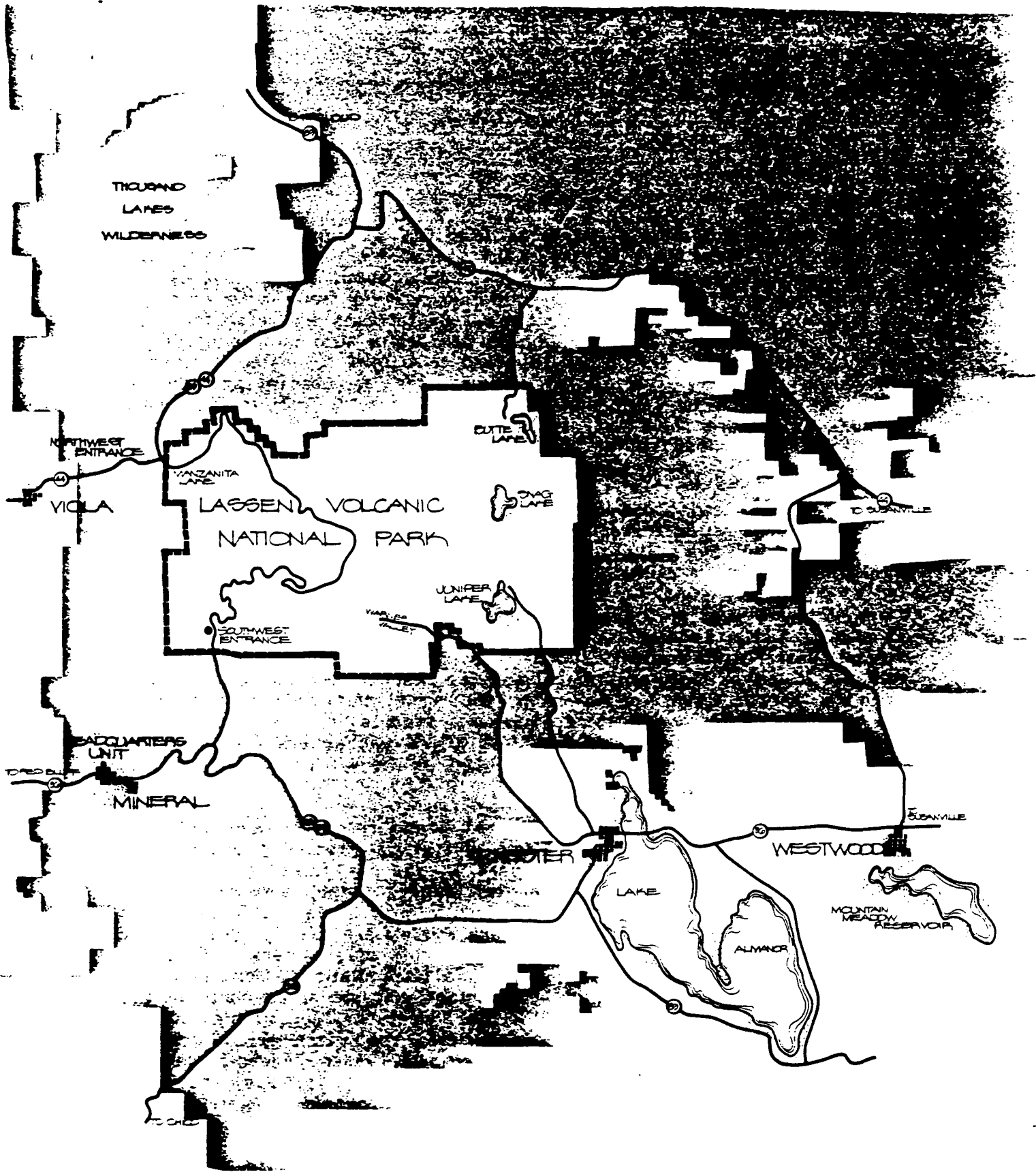
12/11/84
Date

Appendix B

Regional Map



LASSEN VOLCANIC National Park



VICINITY
 LASSEN VOLCANIC NATIONAL PARK

Appendix C

Appendix D

LEGISLATIVE HISTORY

Presidential Proclamation of June 5, 1905 (34 Stat. 3063)

Establishes Lassen Peak Forest Reserve.

Presidential Proclamation No. 753 of May 6, 1907 (35 Stat. 2131)

Establishes Cinder Cone National Monument.

Presidential Proclamation No. 754 of May 6, 1907 (35 Stat. 2132)

Establishes Lassen Peak National Monument.

Act of August 9, 1916 (39 Stat. 442)

Establishes Lassen Volcanic National Park in the Sierra Nevada mountains in the State of California.

Act of April 29, 1922 (42 Stat. 503)

Repeals Section 5 of the act of August 9, 1916, relative to limitation on appropriations for Lassen Volcanic National Park.

Act of Legislature of California, approved April 20, 1927

Cedes to the United States exclusive jurisdiction over Lassen Volcanic National Park.

Act of March 27, 1928 (45 Stat. 371)

Provides for the naming of a mountain or peak within Lassen Volcanic National Park in honor of Hon. John E. Raker, deceased.

Act of April 26, 1928 (45 Stat. 463)

Accepts cession by California of exclusive jurisdiction over lands embraced within Lassen Volcanic National Park.

Act of April 26, 1928 (45 Stat. 466)

Adds certain lands to Lassen Volcanic National Park.

Act of May 21, 1928 (45 Stat. 644)

Authorizes the exchange of public lands for state lands in California, the state lands so acquired to become a part of Lassen Volcanic National Park.

Act of January 19, 1929 (45 Stat. 1801)

Revises the boundaries of Lassen Volcanic National Park.

Act of March 1, 1929 (45 Stat. 1443)

Consolidating or acquiring alienated lands in Lassen Volcanic National Park.

Act of April 19, 1930 (46 Stat. 222)

Authorizes the exchange of certain land now within Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly.

Act of July 3, 1930 (46 Stat. 853)

Provides for the addition of certain lands to the Lassen Volcanic National Park.

Act of January 26, 1931 (46 Stat. 1043)

Provides for uniform administration of the national parks, prohibiting permits for summer homes, etc., and acquisition of rights-of-way in Lassen Volcanic National Park.

Act of August 10, 1961 (75 Stat. 319)

Provides for the addition of certain lands to the Lassen Volcanic National Park.

Act of April 11, 1972 (86 Stat. 120)

Excluding approximately 482 acres from Lassen Volcanic National Park.

Act of October 19, 1972 (86 Stat. 910)

Repeals provision of the act of August 9, 1916, authorizing reclamation projects within the park and designates 78,982 acres in the park to be administered in compliance with the Wilderness Act of 1964.

OTHER LEGISLATION AFFECTING PLANNING

Land and Water Conservation Act of September 3, 1964

Established a fund from which appropriations may be made by Congress for use in acquiring private lands within park boundaries.

Concessions Policy Act of October 9, 1965

The preservation of park values requires that such public accommodations, facilities and services as have to be provided within those areas should be provided only under carefully controlled safeguards.

National Historic Preservation Act of 1966

Defines a national policy of historic preservation.

National Trails System Act of 1968

Establishes a national system of scenic and recreational trails.

National Environmental Policy Act of 1969

National policy of using all practical means to create and maintain conditions under which man and nature can exist in harmony.

Federal Water Pollution Control Act Amendments of 1972

Establishes a National Policy of enhancing quality of water resources.

Endangered Species Act of 1973

Requires all Federal agencies to promote conservation of endangered species.

Executive Order 11752, Prevention, Control and Abatement of Environmental Pollution at Federal Facilities, December 17, 1973

Obligates Federal agencies to comply with Federal, State and local standards regarding the quality of air, water and land resources.

A: LEGISLATION

CINDER CONE NATIONAL MONUMENT, CALIFORNIA
BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

[No. 753—May 6, 1907—35 Stat. 2131]

WHEREAS, the elevation in the State of California, within the Lassen Peak National Forest, known as "Cinder Cone", and the adjacent area embracing a lava field and Snag Lake and Lake Bidwell, comprising chiefly public lands, are of great scientific interest, as illustrations of volcanic activity which are of special importance in tracing the history of the volcanic phenomena of that vicinity;

AND WHEREAS, it is provided by section two of the Act of Congress, approved June eighth, nineteen hundred and six, entitled, "An Act For the preservation of American antiquities," "That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;"

NOW, THEREFORE, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by section two of the aforesaid act of Congress, do proclaim that there are hereby reserved from appropriation and use of all kinds under all of the public land laws, subject to all prior valid adverse claims, and set apart as a National Monument, all the tracts of land, in the State of California, shown as the Cinder Cone National Monument on the diagram forming a part hereof:

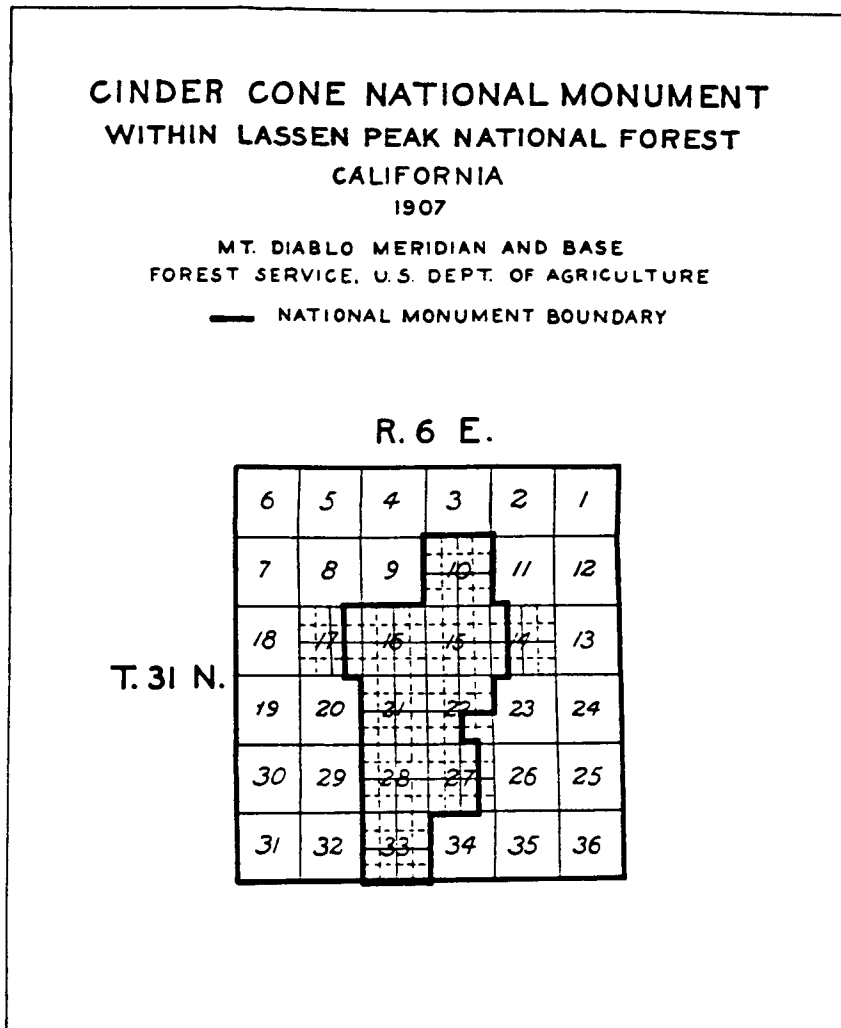
The reservation made by this proclamation is not intended to prevent the use of the lands for forest purposes under the proclamation establishing the Lassen Peak National Forest, but so far as the two reservations are consistent they are equally effective. In all respects in which they may be inconsistent the National Monument hereby established shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure or destroy any feature of this National Monument or to locate or settle upon any of the lands reserved by this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 6th day of May, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States the one hundred and thirty-first.
THEODORE ROOSEVELT.

By the President:
ROBERT BACON,
Acting Secretary of State.



LASSEN PEAK NATIONAL MONUMENT,² CALIFORNIA
BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

[No. 754—May 6, 1907—35 Stat. 2132]

WHEREAS, Lassen Peak, which is situated upon public land in the State of California, within the Lassen Peak National Forest, marks the southern terminus of the long line of extinct volcanoes in the Cascade Range from which one of the greatest volcanic fields in the world extends, and is of

special importance in tracing the history of the volcanic phenomena of that vicinity,

AND WHEREAS, it is provided by section two of the Act of Congress, approved June eighth, nineteen hundred and six, entitled, "An Act For the preservation of American antiquities," "That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of

**LASSEN PEAK NATIONAL MONUMENT
WITHIN LASSEN PEAK NATIONAL FOREST
CALIFORNIA
1907**

**MT. DIABLO MERIDIAN AND BASE
FOREST SERVICE, U. S. DEPT. OF AGRICULTURE**

— NATIONAL MONUMENT BOUNDARY

R. 4 E.

T. 31 N.

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| 30 | 29 | 28 | 27 | 26 | 25 |
| 31 | 32 | 33 | 34 | 35 | 36 |

**[DIAGRAM FORMING A PART OF PROCLAMATION
DATED MAY 6, 1907]**

which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected."

NOW, THEREFORE, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by section two of the aforesaid act of Congress, do proclaim that there are hereby reserved from appropriation and use of all kinds under all of the public land laws, subject to all prior valid adverse claims, and set apart as a National Monument, all the tracts of land, in the State of California, shown as the Lassen Peak National Monument on the diagram forming a part hereof.

The reservation made by this proclamation is not intended to prevent the use of the lands for forest purposes under the proclamation establishing the Lassen Peak National Forest, but so far as the two reservations are consistent they are equally effective. In all respects in which they may be inconsistent the National Monument hereby established shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure or destroy any feature of this National Monument or to locate or settle upon any of the lands reserved by this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 6th day of May, in the year of our Lord one thousand nine hundred and seven, and of the Independence of the United States the one hundred and thirty-first.

THEODORE ROOSEVELT.

By the President:

ROBERT BACON,
Acting Secretary of State.

An Act To establish the Lassen Volcanic National Park in the Sierra Nevada Mountains in the State of California, and for other purposes, approved August 9, 1916 (39 Stat. 442)

Lassen Volcanic
National Park,
Calif.
Established.

Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all those certain tracts, pieces, or parcels of land lying and being situate in the State of California and within the boundaries particularly described as follows, to wit: Beginning at the northeast corner of section three, township thirty-one, range six east, Mount Diablo meridian, California; thence southerly to the southeast corner of said section; thence easterly to the northeast corner of the northwest quarter of section eleven, said township; thence southerly to the southeast corner of the southwest quarter of section fourteen, said township; thence easterly to the northeast corner of the northwest quarter of section twenty-four, said township; thence southerly to the southeast corner of the southwest quarter of section twenty-five, said township; thence westerly to the southwest corner of section twenty-six,

said township: thence southerly to the southeast corner of section thirty-four, said township; thence westerly along the sixth standard parallel north, allowing for the proper offsets, to the northeast corner of section three, township thirty north, range six east; thence southerly to the southeast corner of section twenty-seven, said township; thence westerly to the southwest corner of the southeast quarter of section twenty-eight, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the southwest corner of the northwest quarter of said section; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section twenty, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the range line between ranges five and six east; thence southerly along said range line to the southeast corner of township thirty north, range five east; thence westerly along the township line between townships twenty-nine and thirty north to the southwest corner of section thirty-three, township thirty north, range five east; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section twenty-nine, said township; thence northerly to the northwest corner of the southeast quarter of said section; thence westerly to the southwest corner of the northwest quarter of said section; thence northerly to the northwest corner of said section; thence westerly to the southwest corner of the southeast quarter of section twenty, township thirty north, range four east; thence northerly to the northwest corner of the southeast quarter of section eight, said township; thence easterly to the northeast corner of the southwest quarter of section nine, said township; thence northerly to the township line between townships thirty and thirty-one north; thence easterly along the sixth standard parallel north, allowing for the proper offsets, to the southwest corner of section thirty-three, township thirty-one north, range four east; thence northerly to the northwest corner of section twenty-one, said township; thence easterly to the range line between ranges four and five east; thence northerly along said range line to the northwest corner of fractional section eighteen, township thirty-one north, range five east; thence easterly to the southwest corner of section twelve, said township; thence northerly to the northwest corner of section one, said township; thence easterly along the township line between townships thirty-one and thirty-two north to the northeast corner of section three, township thirty-one north, range six east, the place of beginning, are hereby reserved and withdrawn from settlement, occupancy, disposal, or sale, under the laws of the United

States, and said tracts are dedicated and set apart as a public park or pleasuring ground for the benefit and enjoyment of the people of the United States under the name and to be known and designated as the Lassen Volcanic National Park; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereinafter provided, shall be considered trespassers and be removed therefrom: *Provided*, That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States or the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: *Provided further*, That rights of way for steam or electric railways, automobiles, or wagon roads may be acquired within said Lassen Volcanic National Park under filings or proceedings hereafter made or instituted under the laws applicable to the acquisition of such rights over or upon the national forest lands of the United States when the construction of such roads will not interfere with the objects of the national park, and that the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project; that no lands located within the park boundaries now held in private, municipal, or State ownership shall be affected by or subject to the provisions of this Act: *And provided further*, That no lands within the limits of said park hereby created belonging to or claimed by any railroad or other corporation now having or claiming the right of indemnity selection by virtue of any law or contract whatsoever shall be used as a basis for indemnity selection in any State or Territory whatsoever for any loss sustained by reason of the creation of said park. (U.S.C., title 16, sec. 201.)

Trespassing forbidden.

Proviso.
Valid claims not affected.

Rights of way.
(Repealed by 46 Stat. 1043. See p. 189.)

Reclamation Service use.

Present ownership not affected.
Indemnity selection.

Regulations of control, etc.

SEC. 2. That said park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations not inconsistent with the laws of the United States as he may deem necessary or proper for the care, protection, management, and improvement of the same. Such regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation from injury or spoliation of all timber, mineral deposits, and natural curiosities or wonders within said park and their retention in their natural condition as far as practicable and for the preservation of the park in a state of nature so far as is consistent with the purposes of this Act. He shall provide against the wanton destruction of the fish and game found within said park and against their capture or destruction for purposes of merchandise or profit, and generally shall be authorized to take all such measures as

shall be necessary to fully carry out the objects and purposes of this Act. Said Secretary may, in his discretion, execute leases to parcels of ground not exceeding ten acres in extent at any one place to any one person or persons or company for not to exceed twenty years when such ground is necessary for the erection of buildings for the accommodation of visitors and to parcels of ground not exceeding one acre in extent and for not to exceed twenty years to persons who have heretofore erected, or whom he may hereafter authorize to erect, summer homes or cottages. Such leases or privileges may be renewed or extended at the expiration of the terms thereof. No exclusive privilege, however, shall be granted within the park except upon the ground leased. The regulations governing the park shall include provisions for the use of automobiles therein and the reasonable grazing of stock. (U.S.C., title 16, sec. 202.)

Leases to accommodate visitors, etc. (This section so far as it relates to summer cottages repealed by 46 Stat. 1042. See p. 199.)

SEC. 3. That the Secretary of the Interior may also sell and permit the removal of such matured or dead or down timber as he may deem necessary or advisable for the protection or improvement of the park. (U.S.C., title 16, sec. 203.)

Timber disposal.

SEC. 4. That the Secretary of the Interior may exact such charges as he deems proper for leases and all other privileges granted hereunder. (U.S.C., title 16, sec. 203.)

Charges.

SEC. 5. That no appropriation for the maintenance, supervision, or improvement of said park in excess of \$5,000 annually shall be made unless the same shall have first been expressly authorized by law.

Limit on appropriations. Repealed by 42 Stat. 503. See p. 189 below.

An Act to designate certain lands in the Lassen Volcanic National Park, California, as wilderness. (86 Stat. 918)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act (78 Stat. 892; 16 U.S.C. 1132(c)), certain lands in the Lassen Volcanic National Park, which comprise about seventy-eight thousand nine hundred and eighty-two acres, and which are depicted on the map entitled "Recommended Wilderness, Lassen Volcanic National Park, California" numbered NP-LV-9013C and dated August 1972, are hereby designated as wilderness. The map and the description of the boundaries of such lands shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 2. As soon as practicable after this Act takes effect, a map of the wilderness area and a description of its boundaries shall be filed with the Interior and Insular Affairs Committee of the United States Senate and House of Representatives, and such map and description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 3. The wilderness area designated by this Act shall be known as the "Lassen Volcanic Wilderness" and shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, 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 any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 4. Section 1 of the Act of August 9, 1916 (39 Stat. 443; 16 U.S.C. 201) is amended by deleting the words "that the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area within said park which may be necessary for the development and maintenance of a Government reclamation project" and the semicolon appearing thereafter.

Approved October 19, 1972.

