

109TH CONGRESS
2^D SESSION

H. R. 5094

To require the conveyance of Mattamuskeet Lodge and surrounding property, including the Mattamuskeet National Wildlife Refuge headquarters, to the State of North Carolina to permit the State to use the property as a public facility dedicated to the conservation of the natural and cultural resources of North Carolina.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2006

Mr. JONES of North Carolina introduced the following bill; which was referred to the Committee on Resources

A BILL

To require the conveyance of Mattamuskeet Lodge and surrounding property, including the Mattamuskeet National Wildlife Refuge headquarters, to the State of North Carolina to permit the State to use the property as a public facility dedicated to the conservation of the natural and cultural resources of North Carolina.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lake Mattamuskeet
5 Lodge Preservation Act”.

1 **SEC. 2. CONVEYANCE OF MATTAMUSKEET LODGE,**
2 **MATTAMUSKEET NATIONAL WILDLIFE REF-**
3 **UGE, NORTH CAROLINA.**

4 (a) **CONVEYANCE REQUIRED.**—Within six months
5 after the date of the enactment of this Act, the Secretary
6 of the Interior, acting through the Director of the United
7 States Fish and Wildlife Service, shall convey to the State
8 of North Carolina, without consideration, all right, title,
9 and interest of the United States, except for certain utility
10 and road easements, in and to a parcel of real property
11 consisting of approximately 6.25 acres and containing
12 Mattamuskeet Lodge and surrounding property, including
13 the Mattamuskeet National Wildlife Refuge headquarters,
14 as depicted on the map entitled “Lake Mattamuskeet
15 Lodge/Pump Station” and dated January 10, 2006, for
16 the purpose of permitting the State to use the property
17 as a public facility dedicated to the conservation of the
18 natural and cultural resources of North Carolina.

19 (b) **RESTORATION AND MAINTENANCE OF LODGE.**—
20 The Mattamuskeet Lodge is listed on the National Reg-
21 ister of Historic Places, and, as a condition of the convey-
22 ance of the lodge under subsection (a), the State shall
23 agree to restore and maintain the lodge in accordance
24 with—

25 (1) the Standard for the Treatment of Historic
26 Properties with Guidelines for Preserving, Rehabili-

1 tating, Restoring, and Reconstructing Historic
2 Buildings, as prescribed pursuant to section 106 of
3 the National Historic Preservation Act (16 U.S.C.
4 470f), Part 800 of title 36, Code of Federal Regula-
5 tions; and

6 (2) the General Statutes of North Carolina,
7 Chapter 121, Article 1.

8 (c) AS IS CONVEYANCE.—The conveyance under sub-
9 section (a) shall be subject to the condition that the State
10 accept the real property described in such subsection in
11 its condition at the time of the conveyance, commonly
12 known as conveyance “as is”.

13 (d) ADMINISTRATIVE EXPENSES.—The State shall
14 cover the costs of any survey and the cost of recordation
15 of deeds in connection with the conveyance under this sec-
16 tion. Except as provided in subsection (e), all other costs
17 associated with the conveyance shall be paid by the Sec-
18 retary.

19 (e) LIABILITY.—Notwithstanding any other provision
20 of law, the Secretary shall not retain liability for any envi-
21 ronmental remediation that may be required with regard
22 to the real property conveyed under this section under any
23 applicable environmental authorities for—

24 (1) costs or performance of response actions re-
25 quired under the Comprehensive Environmental Re-

1 sponse, Compensation, and Liability Act of 1980 (42
2 U.S.C. 9601, et seq.) at or related to the property;
3 or

4 (2) costs, penalties, fines, or performance of ac-
5 tions related to noncompliance with applicable envi-
6 ronmental authorities at or related to the property
7 or related to the presence, release, or threat of re-
8 lease of any hazardous substance, pollutant, or con-
9 taminant, hazardous waste, hazardous material, or
10 petroleum product or derivative of a petroleum prod-
11 uct of any kind at or related to the property, includ-
12 ing contamination resulting from migration.

13 (f) REVERSIONARY INTEREST.—If the Secretary de-
14 termines at any time that the real property conveyed
15 under this section is not being used in accordance with
16 the purpose of the conveyance specified in subsection (a)
17 or the State is not complying with the condition of the
18 conveyance under subsection (b), all right, title, and inter-
19 est in and to the property shall revert, at the option of
20 the Secretary, to the United States, and the United States
21 shall have the right of immediate entry onto the property.
22 Any determination of the Secretary under this subsection
23 shall be made on the record after an opportunity for a
24 hearing.

1 (g) MEMORANDUM OF AGREEMENT.—The Secretary
2 shall cooperate with the State to develop a memorandum
3 of agreement encompassing mutually beneficial opportuni-
4 ties to use the property to be conveyed under this section
5 to provide visitor services, to construct and utilize facilities
6 and utilities, and to implement wildlife conservation
7 projects.

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