

104TH CONGRESS  
2D SESSION

# H. R. 3344

To authorize the conveyance of the Coast Guard Presque Isle Light Station to Presque Isle Township, Presque Isle County, Michigan.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 1996

Mr. STUPAK introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To authorize the conveyance of the Coast Guard Presque Isle Light Station to Presque Isle Township, Presque Isle County, Michigan.

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. CONVEYANCE OF PRESQUE ISLE LIGHT STA-**  
4       **TION, MICHIGAN.**

5       (a) AUTHORITY TO CONVEY.—

6               (1) IN GENERAL.—Except as provided in para-  
7       graph (3), the Secretary of the department in which  
8       the Coast Guard is operating (in this section re-  
9       ferred to as the “Secretary”) may convey to Presque  
10      Isle Township, Presque Isle County, Michigan (in

1 this section referred to as the “Township”) by an  
2 appropriate means of conveyance, all right, title, and  
3 interest of the United States in and to the real prop-  
4 erty, upon which is located the United States Coast  
5 Guard Presque Isle Light Station in the County of  
6 Presque Isle, Michigan, more particularly described  
7 as follows: Approximately 98.47 acres forming a pe-  
8 ninsula into Lake Huron consisting of Lots 1 and 2  
9 of Section 8, Township 34 North, Range 8 East, in  
10 the County of Presque Isle, Michigan, including the  
11 light-tower, attached dwelling, detached dwelling,  
12 three car garage and any other improvements on  
13 that parcel of land.

14 (2) IDENTIFICATION OF THE PROPERTY.—The  
15 Secretary may identify, describe, and determine real  
16 property to be conveyed under this section.

17 (3) RETAINED INTERESTS.—Notwithstanding  
18 any conveyance under this section, the United States  
19 shall retain all right, title, and interest in—

20 (A) any historical artifact, including any  
21 lens or lantern, but not including any structures  
22 or other fixtures of structures (except as pro-  
23 vided in subparagraph (B)); and

24 (B) the light, antennas, sound signal, and  
25 associated lighthouse equipment, and any elec-

1           tronic navigation equipment, which are active  
2           aids to navigation,  
3           whether located on the property conveyed or associ-  
4           ated with the property conveyed and located else-  
5           where.

6           (b) TERMS AND CONDITIONS.—

7           (1) IN GENERAL.—Any conveyance of property  
8           under subsection (a) shall be made—

9                   (A) without payment of consideration;

10                   (B) subject to such terms and conditions  
11           as the Secretary may consider appropriate; and

12                   (C) subject to appropriate covenants  
13           that—

14                   (i) warrant that all remedial action  
15           necessary to protect human health and the  
16           environment with respect to any substance  
17           remaining on the property has been taken  
18           before the date of the conveyance, and any  
19           additional remedial action for that purpose  
20           found to be necessary after the date of the  
21           conveyance shall be taken by the United  
22           States; and

23                   (ii) reserving an easement to the  
24           United States providing access to take any

1           such remedial action required after the  
2           conveyance.

3           (2) REVERSIONARY INTEREST.—In addition to  
4           any term or condition established pursuant to para-  
5           graph (1), any conveyance of property under sub-  
6           section (a) shall be subject to the conditions that—

7                   (A) the property shall be used as a center  
8                   for public benefit for the interpretation and  
9                   preservation of the material culture of the Unit-  
10                  ed States Coast Guard and the maritime his-  
11                  tory of Michigan, which may include use for  
12                  general park purposes or for educational, his-  
13                  torical, recreational, and cultural programs  
14                  open to and for the benefit of the general pub-  
15                  lic;

16                   (B) the property shall be managed by the  
17                  Township or by such entity as may be granted  
18                  by the Township a lease, management contract,  
19                  or concession on such terms as may be accept-  
20                  able to the Township as being in the public in-  
21                  terest; and

22                   (C) all right, title, and interest in the prop-  
23                  erty shall immediately revert to the United  
24                  States if the property ceases to be maintained

1 and used in accordance with subparagraphs (A)  
2 and (B).

3 (3) MAINTENANCE OF NAVIGATION FUNC-  
4 TIONS.—Any conveyance of property under this sec-  
5 tion shall be subject to such conditions as the Sec-  
6 retary considers to be necessary to assure that—

7 (A) the light, antennas, sound signal, and  
8 associated lighthouse equipment, and any elec-  
9 tronic navigation equipment, located on the  
10 property, which are active aids to navigation,  
11 shall continue to be operated and maintained by  
12 the United States for as long as they are need-  
13 ed for this purpose;

14 (B) the Township may not interfere or  
15 allow interference in any manner with such aids  
16 to navigation without express written permis-  
17 sion from the United States;

18 (C) there is reserved to the United States  
19 the right to relocate, replace, or add any aids  
20 to navigation, or make any changes on any por-  
21 tion of the property as may be necessary for  
22 navigation purposes;

23 (D) the United States shall have the right,  
24 at any time, to enter the property without no-

1           tice for the purpose of maintaining aids to navi-  
2           gation;

3           (E) the United States shall have—

4                 (i) an easement of access to the prop-  
5                 erty for the purpose of maintaining the  
6                 aids to navigation in use on the property,  
7                 and

8                 (ii) an easement for an arc of visi-  
9                 bility; and

10           (F) the United States shall not be respon-  
11           sible for the cost and expense of maintenance,  
12           repair, and upkeep of the property.

13           (4) MAINTENANCE OBLIGATION.—The Town-  
14           ship shall not have any obligation to maintain any  
15           active aid to navigation equipment on the property  
16           conveyed under this section.

17           (c) PROPERTY TO BE MAINTAINED IN ACCORDANCE  
18           WITH CERTAIN LAWS.—The Township, to the extent its  
19           budget permits as determined by its Township Board,  
20           shall maintain property conveyed to the Township under  
21           this section in accordance with the provisions of the Na-  
22           tional Historic Preservation Act of 1966 (16 U.S.C. 470  
23           et seq.) and other applicable laws.

24           (d) MAINTENANCE STANDARD.—The Township, at  
25           its own cost and expense and to the extent its budget per-

1 mits as determined by the Township Board, shall maintain  
2 in a proper, substantial, and workmanlike manner, the  
3 property conveyed under this section, including the ease-  
4 ment of access and the easement for an arc of visibility.

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