

NATIONAL PARKS AND RECREATION ACT,
1978, P.L. 95-625
EBEY'S LANDING NATIONAL HISTORICAL RESERVE

Sec. 508. (a) *There is hereby established the Ebey's Landing National Historical Reserve (hereinafter referred to as the "reserve"), in order to preserve and protect a rural community which provides an unbroken historical record from nineteenth century exploration and settlement in Puget Sound to the present time, and to commemorate --*

- (1) *the first thorough exploration of the Puget Sound area, by Captain George Vancouver, in 1792;*
- (2) *settlement by Colonel Isaac Neff Ebey who led the first permanent settlers to Whidbey Island, quickly became an important figure in Washington Territory, and ultimately was killed by Haidahs from the Queen Charlotte Islands during a period of Indian unrest in 1857;*
- (3) *early active settlement during the years of the Donation Land Law (1850-1855) and thereafter; and*
- (4) *the growth since 1883 of the historic town of Coupeville.*

The reserve shall include the area of approximately eight thousand acres identified as the Central Whidbey Island Historic District.

(b) (1) *To achieve the purpose of this section, the Secretary, in cooperation with the appropriate State and local units of general government, shall formulate a comprehensive plan for the protection, preservation, and interpretation of the reserve. The plan shall identify those areas or zones within the reserve which would most appropriately be devoted to --*

- (A) *public use and development;*
- (B) *historic and natural preservation; and*
- (C) *private use subject to appropriate local zoning ordinances designed to protect the historical rural setting.*

(2) *Within eighteen months following the date of enactment of this section, the Secretary shall transmit the plan to the President of the Senate and the Speaker of the House of Representatives.*

(c) *At such time as the State or appropriate units of local government having jurisdiction over land use within the reserve have enacted such zoning ordinances or other land use controls which in the judgement of the Secretary will protect and preserve the historic and natural features of the area in accordance with the comprehensive plan, the Secretary may, pursuant to cooperative agreement --*

- (1) *transfer management and administration over all or any part of the property acquired under subsection (d) of this section to the State or appropriate units of local government;*
- (2) *provide technical assistance to such State or unit of local government in the management, protection, and interpretation of the reserve; and*

(3) *make periodic grants, which shall be supplemental to any other funds to which the grantee may be entitled under any other provision of law, to such State or local unit of government for the annual costs of operation and maintenance, including but not limited to, salaries of personnel and the protection, preservation, and rehabilitation of the reserve except that no such grant may exceed 50 per centum of the estimated annual cost, as determined by the Secretary, of such operations and maintenance.*

(d) *The Secretary is authorized to acquire such lands and interests as he determines are necessary to accomplish the purposes of this section by donation, purchase with donated funds, or exchange, except that the Secretary may not acquire the fee simple title to any land without the consent of the owner. The Secretary shall, in addition, give prompt and careful consideration to any offer made by an individual owning property within the historic district to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.*

Lands and interests therein so acquired shall, so long as responsibility for management and administration remains with the United States, be administered by the Secretary subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in a manner consistent with the purpose of this section.

(e) *If, after the transfer of management and administration of any lands pursuant to subsection (c) of this section, the Secretary determines that the reserve is not being managed in a manner consistent with the purposes of this section, he shall so notify the appropriate officers of the State or local unit of government to which such transfer was made and provide for a ninety-day period in which the transferee may make such modifications in applicable laws, ordinances, rules, and procedures as will be consistent with such purposes. If, upon the expiration of such ninety-day period, the Secretary determines that such modifications have not been made or are inadequate, he shall withdraw the management and administration from the transferee and he shall manage such lands in accordance with the provisions of this section.*

(f) *There is hereby authorized to be appropriated not to exceed \$5,000,000 to carry out the provisions of this section.*