

Public Law 108–480
108th Congress

An Act

To authorize funds for an educational center for the Castillo de San Marcos National Monument, and for other purposes.

Dec. 23, 2004
[H.R. 2457]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Florida.
16 USC 431 note.

TITLE I—CASTILLO DE SAN MARCOS NATIONAL MONUMENT PRESERVATION ACT

Castillo de San Marcos National Monument Preservation and Education Act.

SEC. 101. SHORT TITLE.

This title may be cited as the “Castillo de San Marcos National Monument Preservation and Education Act”.

SEC. 102. VISITOR CENTER.

(a) **AUTHORIZATION.**—Subject to the availability of appropriations and the project being prioritized in the National Park Services 5-year, line-item construction program, the Secretary of the Interior (referred to in this section as the “Secretary”) may design and construct a Visitor Center for the Castillo de San Marcos National Monument (referred to in this section as the “Monument”).

(b) **PREFERRED ALTERNATIVE.**—The Visitor Center authorized in subsection (a) shall be located and constructed in accordance with the Preferred Alternative identified in the Record of Decision for the General Management Plan for the Monument, expected to be signed in 2005.

SEC. 103. COOPERATIVE AGREEMENT.

The Secretary may enter into cooperative agreements with the City of St. Augustine, Florida, the Colonial St. Augustine Preservation Foundation, other Federal, State, and local departments or agencies, academic institutions, and non-profit entities for the planning and design, construction, management, and operation of the Visitor Center.

SEC. 104. BOUNDARY EXPANSION.

(a) **PROPERTY ACQUISITION.**—If the Preferred Alternative for the Visitor Center authorized by section 102 is located outside the boundary of the Monument, the Secretary is authorized to acquire the site for the Visitor Center, from willing sellers, by donation, purchase with donated or appropriated funds, or by exchange.

(b) **ADMINISTRATION OF NEWLY ACQUIRED LAND.**—Land added to the Monument pursuant to subsection (a) shall be administered by the Secretary in accordance with applicable laws and regulations.

(c) **BOUNDARY MODIFICATION.**—The boundary of the Monument shall be modified to reflect the acquisition of land authorized in subsection (a) after completion of the acquisition.

SEC. 105. PROJECT APPROVAL.

Prior to initiating any planning, design, or construction on the Visitor Center authorized by section 102, the project must be reviewed and approved by the National Park Service consistent with partnership construction guidelines established by that agency.

Castillo de San
Marcos National
Monument
Boundary
Adjustment Act
of 2004.

**TITLE II—CASTILLO DE SAN MARCOS
NATIONAL MONUMENT BOUNDARY
MODIFICATION**

SEC. 201. SHORT TITLE.

This title may be cited as the “Castillo de San Marcos National Monument Boundary Adjustment Act of 2004”.

SEC. 202. FINDINGS.

Congress finds the following:

(1) The early defense lines for Fort Marion, Florida, today known as the Castillo de San Marcos National Monument, included defenses extending in a line due west to the Sebastian River, a distance of about one half mile.

(2) In the 1830’s, during the Seminole Wars in Florida, these defensive lines were maintained, but as Florida became more settled they fell into disrepair and/or became obsolete.

(3) In 1908 the War Department deeded much of the property running west to the Sebastian River to the St. Johns County Board of Public Instruction. The portion of this property remaining in federal ownership today is occupied by Orange Street, a City of St. Augustine, Florida street.

(4) For nearly a century, the City of St. Augustine has maintained and managed Orange Street, a modern city street, and associated utilities in the Orange Street corridor.

(5) Any archeological remains that are still present on the property overlaid by Orange Street are adequately protected by the City’s archeological ordinances, and by the City having an archeologist on staff.

(6) Although the city currently operates Orange Street under a right-of-way from the National Park Service, from a management perspective it is appropriate for the City of St. Augustine to own Orange Street.

SEC. 203. BOUNDARY ADJUSTMENT.

(a) **CONVEYANCE OF LAND.**—The Secretary of the Interior shall convey, without consideration, to the City of St. Augustine, Florida, all right, title, and interest of the United States in and to the lands known as Orange Street, a portion of the Castillo de San Marcos National Monument (Monument), consisting of approximately 3.1 acres, as shown on the map entitled Castillo de San Marcos National Monument Boundary Adjustment and Correction, numbered 343/80060, and dated April 2003. Upon completion of

the conveyance, the Secretary shall revise the boundary of the Monument to exclude the land conveyed.

(b) BOUNDARY REVISION.—Effective on the date of the enactment of this Act, the boundary of the Monument is revised to include an area of approximately 0.45 acres, as shown on the map identified in subsection (a). The Secretary shall administer the lands included in the boundary as part of the national monument in accordance with applicable laws and regulations. Effective date.

Approved December 23, 2004.

LEGISLATIVE HISTORY—H.R. 2457:

HOUSE REPORTS: No. 108–639 (Comm. on Resources).

CONGRESSIONAL RECORD, Vol. 150 (2004):

Sept. 13, considered and passed House.

Dec. 8, considered and passed Senate.