

NATIONAL DEFENSE AUTHORIZATION ACT
FOR FISCAL YEAR 2010

SEC. 2853. TRANSFER OF ADMINISTRATIVE JURISDICTION, PORT CHICAGO NAVAL MAGAZINE, CALIFORNIA.

(a) TRANSFER REQUIRED; ADMINISTRATION.—Section 203 of the Port Chicago National Memorial Act of 1992 (Public Law 102-562; 16 U.S.C. 431 note; 106 Stat. 4235) is amended by striking subsection (c) and inserting the following new subsections:

“(c) ADMINISTRATION.—The Secretary of the Interior shall administer the Port Chicago Naval Magazine National Memorial as a unit of the National Park System in accordance with this Act and laws generally applicable to units of the National Park System, including the National Park Service Organic Act (39 Stat. 535; 16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.). Land transferred to the administrative jurisdiction of the Secretary of the Interior under subsection (d) shall be administered in accordance with this subsection.

“(d) TRANSFER OF LAND.—The Secretary of the Army shall transfer to the Secretary of the Interior administrative jurisdiction over of a parcel of land consisting of approximately five acres, depicted within the proposed boundary on the map entitled ‘Port Chicago Naval Magazine National Memorial, Proposed Boundary’, numbered 018/80,001, and dated August 2005, if the Secretary of the Army determines that the land is in excess to military needs. At the time of the transfer of administrative jurisdiction, the Secretary of the Army and the Secretary of the Interior shall enter into an agreement to determine the responsibilities of the respective agencies in the application of, or obligation to comply with, any applicable environmental law affecting the transferred land, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

Determination.

Contracts.

“(e) PUBLIC ACCESS.—The Secretary of the Army shall enter into an agreement with the Secretary of the Interior to provide as much public access as possible to the Port Chicago Naval Magazine National Memorial without interfering with military needs. This subsection shall no longer apply if, at some point in the future, the National Memorial ceases to be an enclave within the Military Ocean Terminal-Concord.

“(f) AGREEMENT WITH CITY OF CONCORD AND EAST BAY REGIONAL PARK DISTRICT.—The Secretary of the Interior is authorized to enter into an agreement with the City of Concord, California, and the East Bay Regional Park District, to establish and operate a facility for visitor orientation and parking, administrative offices, and curatorial storage for the National Memorial.

“(g) SAVINGS PROVISION.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the National Environmental Policy Act (42 U.S.C. 4321 et seq.), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).”

(b) SENSE OF CONGRESS ON REPAIR AND MODIFICATION OF NATIONAL MEMORIAL.—In accordance with public access provided by section 203(e) of the Port Chicago National Memorial Act of 1992, as amended by subsection (a), it is the sense of Congress that the Secretary of the Army and the Secretary of the Interior should work together to develop a process by which future repairs and modifications to mutually used infrastructure at the Port Chicago Naval Magazine National Memorial can be carried out in as timely and cost-effective a manner as possible.