

Public Law 99-565
99th Congress

An Act

To establish a Great Basin National Park in the State of Nevada, and for other purposes.

Oct. 27, 1986
[S. 2506]

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

Great Basin
National Park
Act of 1986.

SHORT TITLE

SECTION 1. This Act may be known as the "Great Basin National Park Act of 1986".

16 USC 410mm
note.

ESTABLISHMENT

SEC. 2. (a) In order to preserve for the benefit and inspiration of the people a representative segment of the Great Basin of the Western United States possessing outstanding resources and significant geological and scenic values, there is hereby established the Great Basin National Park (hereinafter in this Act referred to as the "park").

16 USC 410mm.

(b) The park shall consist of approximately seventy-six thousand acres, as depicted on the map entitled "Boundary Map, Great Basin National Park, Nevada," numbered NA-GB 20,017, and dated October 1986. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and the Office of the Superintendent, Great Basin National Park, Nevada.

Public
information.

(c) Within 6 months after the enactment of this Act, the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") shall file a legal description of the park designated under this section with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in such legal description and in the map referred to in subsection (a). The legal description shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Public
information.

(d)(1) The Lehman Caves National Monument, designated on January 24, 1922, by Presidential proclamation under the authority contained in the Act of June 8, 1906 (34 Stat. 225) is hereby abolished and the lands incorporated within the Great Basin National Park. Any reference in any law, map, regulation, document, record, or other paper of the United States to such national monument shall be deemed to be a reference to Great Basin National Park.

(2) Any funds available for purposes of the national monument shall be available for purposes of the park.

ADMINISTRATION

Conservation.
Fish and fishing.
Wildlife.
16 USC
410mm-1.

SEC. 3. (a) The Secretary shall administer the park in accordance with this Act and with the provisions of law generally applicable to units of the national park system, including the Act entitled "An Act to establish a National Park Service, and for other purposes," approved August 26, 1916 (39 Stat. 535; 16 U.S.C. 1-4). The Secretary shall protect, manage, and administer the park in such manner as to conserve and protect the scenery, the natural, geologic, historic, and archaeological resources of the park, including fish and wildlife and to provide for the public use and enjoyment of the same in such a manner as to perpetuate these qualities for future generations.

(b) The Secretary shall permit fishing on lands and waters under his jurisdiction within the park in accordance with the applicable laws of the United States and the State of Nevada, except that he may designate zones where, and periods when, no fishing may be permitted for reasons of public safety. Except in emergencies, any regulations prescribing such restrictions relating to fishing, shall be put into effect only after consultation with the appropriate State agency having jurisdiction over fishing activities.

(c) After notice and opportunity for public hearing, the Secretary shall prepare a management plan for the park. The Secretary shall submit such plan to the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate within three years after the enactment of this Act. Such plan may be amended from time to time. The plan shall include, but not be limited to, provisions related to grazing within the park to the extent permitted under subsection (e) and provisions providing for the appropriate management of fish and wildlife and fishing within the park in accordance with subsection (b). Such provisions shall be adopted only after consultation with the appropriate State agency having jurisdiction over fish and wildlife.

(d) Subject to valid existing rights, Federal lands and interests therein, within the park, are withdrawn from disposition under the public lands laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970, as amended.

(e) Subject to such limitations, conditions, or regulations as he may prescribe, the Secretary shall permit grazing on lands within the park to the same extent as was permitted on such lands as of July 1, 1985. Grazing within the park shall be administered by the National Park Service.

(f) At the request of the permittee, or at the initiative of the Secretary, negotiations may take place at any time with holders of valid existing grazing permits on land within the park, for an exchange of all or part of their grazing allotments for allotments outside the park. No such exchange shall take place if, in the opinion of the affected Federal land management agency, the exchange would result in overgrazing of Federal lands.

(g) Existing water-related range improvements inside the park may be maintained by the Secretary or the persons benefitting from them, subject to reasonable regulation by the Secretary.

(h) Nothing in this Act shall be construed to establish a new express or implied reservation to the United States of any water or water-related right with respect to the land described in section 2 of

30 USC 1001
note.

this Act: *Provided*, That the United States shall be entitled to only that express or implied reserved water right which may have been associated with the initial establishment and withdrawal of Humboldt National Forest and the Lehman Caves National Monument from the public domain with respect to the land described in section 2 of this Act. No provision of this Act shall be construed as authorizing the appropriation of water, except in accordance with the substantive and procedural law of the State of Nevada.

(i) In order to encourage unified and cost-effective interpretation of the Great Basin physiographic region, the Secretary is authorized and encouraged to enter into cooperative agreements with other Federal, State, and local public departments and agencies providing for the interpretation of the Great Basin physiographic region. Such agreements shall include, but not be limited to, authority for the Secretary to develop and operate interpretive facilities and programs on lands and waters outside of the boundaries of such park, with the concurrence of the owner or administrator thereof.

State and local governments.

ACQUISITION OF LAND

SEC. 4. (a) The Secretary may acquire land or interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange, but no such lands or interests therein may be acquired without the consent of the owner thereof. Lands owned by the State of Nevada or any political subdivision thereof may be acquired only by donation or exchange.

16 USC
410mm-2.

(b) Lands and waters, and interests therein, within the boundaries of the park which were administered by the Forest Service, United States Department of Agriculture prior to the date of enactment of this Act are hereby transferred to the administrative jurisdiction of the Secretary to be administered in accordance with this Act. The boundaries of the Humboldt National Forest shall be adjusted accordingly.

AUTHORIZATION OF APPROPRIATIONS

SEC. 5. (a) Not more than \$800,000 are authorized to be appropriated for development of the park.

16 USC
410mm-3.

(b) Not more than \$200,000 are authorized to be appropriated for acquisition of lands and interests in land within the park.

Approved October 27, 1986.

LEGISLATIVE HISTORY—S. 2506:

SENATE REPORTS: No. 99-458 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 132 (1986):

Sept. 30, considered and passed Senate.

Oct. 6, considered and passed House, amended.

Oct. 9, Senate concurred in House amendments.