

The Watershed Protection and Flood Prevention Act, referred to in subsec. (d), is act Aug. 4, 1954, ch. 656, 68 Stat. 666, which is classified principally to chapter 18 (§1001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables.

CODIFICATION

In subsec. (a), “section 200104 of title 54” substituted for “section 3 of the Act of May 28, 1963 (77 Stat. 49)” on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

Subsec. (b) of this section amended section 662(d) of this title.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-287, §5(d)(1)(A), substituted “section 200305(d) of title 54” for “section 4601-8(d) of this title”.

Subsec. (g). Pub. L. 113-287, §5(d)(1)(B), substituted “section 200306(a)(3) of title 54” for “Section 4601-9(a)(2) of this title”.

1976—Subsec. (d). Pub. L. 94-576 authorized recreational and other public uses at dams and reservoirs consistent with promotion of navigation, flood control, and generation of electrical energy.

§ 4601-18. Authority of Secretary of the Interior

(a) Provision of facilities, acquisition of lands, and provision for public use and enjoyment of project lands, facilities, and water areas in coordination with other project purposes; execution of agreements before providing lands, facilities, and project modifications

The Secretary is authorized, in conjunction with any reservoir heretofore constructed by him pursuant to the Federal reclamation laws or any reservoir which is otherwise under his control, except reservoirs within national wildlife refuges, to investigate, plan, construct, operate and maintain, or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, and to provide for public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes. Lands, facilities and project modifications for the purposes of this subsection may be provided only after an agreement in accordance with subsection (b) or (c) of section 4601-14 of this title has been executed.

(b) Agreements with government agencies to promote development and operation of lands or facilities for recreation and fish and wildlife enhancement purposes

The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease agreement or exchange upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

(c) Transfer of lands; consent of other Federal agencies to use of lands for recreation or fish and wildlife purposes; transfers to Secretary of Agriculture of forest lands; continuing administration of lands and waters for other project purposes; prohibition against limitation of authority under existing provisions of law

No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation or fish and wildlife purposes under the authority of this section without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this section. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided*, That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation or fish and wildlife development in connection with water resource projects or to disposition of public lands for such purposes.

(Pub. L. 89-72, §7, July 9, 1965, 79 Stat. 216; Pub. L. 102-377, title II, §206, Oct. 2, 1992, 106 Stat. 1332; Pub. L. 102-575, title XXVIII, §2804(e), Oct. 30, 1992, 106 Stat. 4692.)

Editorial Notes

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-575, §2804(e)(2), substituted “subsection (b) or (c) of section 4601-14” for “subsection 4601-14(b)”.

Pub. L. 102-575, §2804(e)(1), which directed amendment of subsec. (a) by striking “purposes: *Provided*,” and all that follows through end of sentence and inserting “purposes”, could not be executed because the words “purposes: *Provided*,” did not appear subsequent to amendment by Pub. L. 102-377. See below.

Pub. L. 102-377 substituted “purposes.” for “purposes: *Provided*, That not more than \$100,000 shall be available to carry out the provisions of this subsection at any one reservoir.”

§ 4601-19. Feasibility reports

Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such