

interests therein authorized by this subchapter shall occur within three years of October 19, 1980.

(5) In order to facilitate the exchange authorized by this subchapter, the Executive order captioned "Order of Withdrawal", of June 6, 1929, creating "Coal Reserve No. 1, Montana, No. 1", is hereby revoked to the extent that it constitutes a withdrawal of the lands therein from disposal under the Mineral Lands Leasing Act of 1920, as amended [30 U.S.C. 181 et seq.].

(c) Exchange of lands involving Burlington Northern, Inc.

The exchange of lands involving Burlington Northern, Inc. shall be in accordance with the agreement entitled "Statement of Intent" entered into by Burlington Northern, Inc. and the Regional Forester of the United States Forest Service, Region 1, signed September 18, 1980, and it is the intent of Congress that this exchange shall occur within three years of October 19, 1980.

(d) Non-Federal lands; water rights

(1) As non-Federal lands and interests in the Rattlesnake National Recreation Area are acquired, the lands shall become part of the Rattlesnake National Recreation Area. As non-Federal lands and interests in the Rattlesnake Wilderness are acquired, the lands shall become part of the Rattlesnake Wilderness. The Secretary shall publish from time to time a notice of such classifications in the Federal Register. It is the intention of Congress that acquisition of the non-Federal lands shall be completed no later than three years after October 19, 1980.

(2) Nothing in this subchapter shall be construed to permit the Secretary to affect or diminish any water right which is vested under either State or Federal law on October 19, 1980, nor the rights of the owner of such water right to the customary and usual access, including necessary motorized use over and along existing roads and trails to any facilities used in connection therewith, and the right to operate and maintain such facilities.

(e) Exchange of land owned by Montana Power Company for bidding rights

The Secretary of the Interior, in consultation with the Secretary of Agriculture, shall consummate the exchange of the lands owned by the Montana Power Company within the boundaries of the Rattlesnake National Recreation Area and Rattlesnake Wilderness by issuing bidding rights to the Montana Power Company which shall equal the negotiated cash equivalent of the fair market value of such Montana Power Company lands, as provided in the agreement of April 4, 1983, signed by the authorized representatives of the Secretary of Agriculture, the Secretary of the Interior and the Montana Power Company, except that adjustments in the "Cash Equivalency Rate" referred to in said agreement shall not exceed a rate determined by the Secretary of the Interior taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the remaining period during which the bidding rights may be used.

(Pub. L. 96-476, § 4, Oct. 19, 1980, 94 Stat. 2272; Pub. L. 98-140, § 7, Oct. 31, 1983, 97 Stat. 907.)

Editorial Notes

REFERENCES IN TEXT

Section 2 of the Mineral Lands Leasing Act of 1920, referred to in subsec. (b)(1), probably means section 2(a) of the Mineral Lands Leasing Act of 1920, act Feb. 25, 1920, ch. 85, § 2(a), 41 Stat. 438, which enacted section 201(a) of Title 30, Mineral Lands and Mining. Section 2(b) to (d) of the Mineral Lands Leasing Act of 1920 enacted sections 201(b), 202, and 202(a) of Title 30, respectively.

The Mineral Lands Leasing Act of 1920, as amended, referred to in subsec. (b)(3), (5), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§ 181 et seq.) of Title 30. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

CODIFICATION

In subsec. (b)(3), "October 31, 1983" substituted for "the date of enactment of this Act", meaning the date of enactment of Pub. L. 98-140, section 7(a) of which amended generally subsec. (b)(3), as the probable intent of Congress.

AMENDMENTS

1983—Subsec. (b)(3). Pub. L. 98-140, § 7(a), amended par. (3) generally, substituting "two years from October 31, 1983, the bidding rights may be used as a monetary credit, which shall be considered 'money' within the meaning of section 35 of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 191), against that portion of bonus payments, rental or royalty payments paid into the Treasury of the United States and retained by the Federal Government on any Federal coal lease won or otherwise held by the applicant, its successors or assigns" for "three years from October 19, 1980, the holder of the bidding rights may, at its election, use the outstanding bidding rights as a credit against any royalty, rental, or advance royalty payments owed to the United States on any Federal coal lease(s) it may then hold" and inserting provisions that the holder of the bidding rights shall pay the balance due on such bonus payments, rental or royalty payments in cash for transmittal to the States in the same manner and in the same amounts as though the entire payment were made in cash under the provisions of the Mineral Leasing Act of 1920 as amended, and that the bidding rights may be transferred or sold at any time by the owner to any other party with all the rights of the owner to the credit, and after such transfer, the owner shall notify the Secretary.

Subsec. (e). Pub. L. 98-140, § 7(b), added subsec. (e).

§ 460II-4. Filing of maps and descriptions

As soon as practicable after October 19, 1980, a map and legal description of the Rattlesnake National Recreational Area and a map and legal description of the Rattlesnake Wilderness shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and legal descriptions shall have the same force and effect as if included in this subchapter: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(Pub. L. 96-476, § 5, Oct. 19, 1980, 94 Stat. 2273.)

Statutory Notes and Related Subsidiaries**CHANGE OF NAME**

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

§ 460II–5. Authorization of appropriations

Effective October 1, 1981, there is hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this subchapter.

(Pub. L. 96–476, § 6, Oct. 19, 1980, 94 Stat. 2274.)

[SUBCHAPTER XCVII—RESERVED]**SUBCHAPTER XCVIII—STEESE NATIONAL CONSERVATION AREA AND WHITE MOUNTAINS NATIONAL RECREATION AREA****§ 460mm. Establishment of conservation area****(a) In general**

In order to provide for the immediate and future protection of the lands in Federal ownership within the framework of a program of multiple use and sustained yield and for the maintenance of environmental quality, the Steese National Conservation Area is hereby established.

(b) Boundaries; special values

The Steese National Conservation Area shall include approximately one million two hundred twenty thousand acres of public lands, as generally depicted on the map entitled “Steese National Conservation Area—proposed”, and dated October 1978. Special values to be considered in planning and management of the area are: caribou range and Birch Creek.

(Pub. L. 96–487, title IV, § 401, Dec. 2, 1980, 94 Stat. 2396.)

§ 460mm–1. Administration of conservation area**(a) Management and use of land; land use plan**

Subject to valid existing rights, the Secretary, through the Bureau of Land Management, shall administer the Steese National Conservation Area established in section 460mm of this title pursuant to the applicable provisions of the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.] dealing with the management and use of land in Federal ownership, and shall, within five years of Dec. 2, 1980, develop a land use plan for each such area, and for the area established in section 460mm–2 of this title.

(b) Transfer of lands; mineral exploration and development

No public lands within the national conservation area shall be transferred out of Federal ownership except by exchange pursuant to section 206 of the Federal Land Policy and Management Act [43 U.S.C. 1716]. Where consistent with the land use plans for the area, mineral development may be permitted pursuant to the Mineral Leasing Act of 1920, as amended, and supplemented (30 U.S.C. 181–287) or the Materials Act of 1947, as amended (30 U.S.C. 601–603). Subject to valid existing rights, the minerals in Federal

lands within national conservation areas are hereby withdrawn from location, entry, and patent under the United States mining laws (30 U.S.C. 22–54). Where consistent with the land use plan for the area, the Secretary may classify lands within national conservation areas as suitable for locatable mineral exploration and development and open such lands to entry, location, and patent under the United States mining laws (30 U.S.C. 22–54).

(c) Regulation of mining activities

Subject to valid existing rights, all mining claims located within any such unit shall be subject to such reasonable regulations as the Secretary may prescribe to assure that mining will, to the maximum extent practicable, be consistent with protection of the scenic, scientific, cultural, and other resources of the area and any patent issued after December 2, 1980, shall convey title only to the minerals together with the right to use the surface of lands for mining purposes subject to such reasonable regulations as the Secretary may prescribe as aforesaid.

(Pub. L. 96–487, title IV, § 402, Dec. 2, 1980, 94 Stat. 2396.)

Editorial Notes**REFERENCES IN TEXT**

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a), is Pub. L. 94–579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

The Mineral Leasing Act of 1920, as amended, and supplemented, referred to in subsec. (b), is act Feb. 25, 1920, ch. 85, 41 Stat. 437, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

The Materials Act of 1947, as amended, referred to in subsec. (b), is act July 31, 1947, ch. 406, 61 Stat. 681, which is classified generally to subchapter I (§601 et seq.) of chapter 15 of Title 30. For complete classification of this Act to the Code, see Short Title note set out under section 601 of Title 30 and Tables.

§ 460mm–2. Establishment of recreation area

There is hereby established the White Mountains National Recreation Area containing approximately one million acres of public lands, as generally depicted on the map entitled “White Mountains National Recreation Area—proposed”, and dated October 1978. Subject to valid existing rights, the Secretary shall administer the area in accordance with the provisions of section 460mm–4 of this title and other applicable provisions of this Act, the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.], and other applicable law. In planning for the recreational use and management of this area, the Secretary shall work closely with the State of Alaska.

(Pub. L. 96–487, title IV, § 403, Dec. 2, 1980, 94 Stat. 2397.)