

the Secretary within the boundaries of the Recreation Area in accordance with applicable laws of the United States and of each State, respectively.

(2) Prohibition

(A) In general

The Secretary may designate areas where, and establish periods when, hunting or fishing is prohibited for reasons of public safety, administration, or public use and enjoyment.

(B) Consultation

Except in emergencies, a prohibition under subparagraph (A) shall become effective only after consultation with the appropriate fish and game departments of the States.

(3) Fish and wildlife

Nothing in this subchapter affects the jurisdiction or responsibilities of the States with respect to wildlife and fish on national forests.

(c) Historical resources

(1) In general

The Secretary shall identify and manage the historical resources of the Recreation Area—

(A) in accordance with the requirements of division A of subtitle III of title 54 (formerly known as the “National Historic Preservation Act”); and

(B) in consultation with qualified residents or relatives.

(2) Consideration

The Secretary shall—

(A) in accordance with applicable law, give consideration to requests by qualified residents or relatives to use and maintain traditional sites, buildings, cemeteries, and other areas of cultural importance in the Recreation Area; and

(B) consult with qualified residents or relatives in the management of the historical resources of the Recreation Area.

(Pub. L. 105–277, div. A, §101(e) [title V, §529], Oct. 21, 1998, 112 Stat. 2681–231, 2681–317; Pub. L. 117–328, div. DD, title II, §201(h), Dec. 29, 2022, 136 Stat. 5583.)

Editorial Notes

AMENDMENTS

2022—Subsec. (c). Pub. L. 117–328 added subsec. (c).

§ 460III–30. Hematite Dam

Within one year from the date of transfer pursuant to section 460III–41 of this title, the Tennessee Valley Authority shall cause any breach in the Hematite Dam to be repaired, or if such repairs have previously been made, the Tennessee Valley Authority shall certify in a letter to the Secretary the sound condition of the dam. Future repair costs and maintenance of the Hematite Dam shall be the responsibility of the Secretary.

(Pub. L. 105–277, div. A, §101(e) [title V, §530], Oct. 21, 1998, 112 Stat. 2681–231, 2681–317.)

§ 460III–31. Trust Fund

(a) Establishment

There is established in the Treasury of the United States a special interest-bearing fund

known as the “Land Between the Lakes Trust Fund”.

(b) Availability

Amounts in the Fund shall be available to the Secretary, until expended, for—

(1) public education, grants, and internships related to recreation, conservation, and multiple use land management in the Recreation Area; and

(2) regional promotion in the Recreation Area, in cooperation with development districts, chambers of commerce, and State and local governments.

(c) Deposits

The Tennessee Valley Authority shall deposit into the Fund \$1,000,000 annually for each of the 5 fiscal years commencing in the first fiscal year of the transfer. Funding to carry out this section shall be derived from funding described in section 460III–49 of this title.

(Pub. L. 105–277, div. A, §101(e) [title V, §531], Oct. 21, 1998, 112 Stat. 2681–231, 2681–317.)

PART C—TRANSFER PROVISIONS

§ 460III–41. Effective date of transfer

Effective on October 1 of the first fiscal year for which Congress does not appropriate to the Tennessee Valley Authority at least \$6,000,000 for the Recreation Area, or, if this Act is enacted during a fiscal year for which Congress has not made such an appropriation, effective as of October 21, 1998, administrative jurisdiction over the Recreation Area is transferred from the Tennessee Valley Authority to the Secretary.

(Pub. L. 105–277, div. A, §101(e) [title V, §541], Oct. 21, 1998, 112 Stat. 2681–231, 2681–318.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is section 101(e) of div. A of Pub. L. 105–277, Oct. 21, 1998, 112 Stat. 2681–231, which enacted the Department of the Interior and Related Agencies Appropriations Act, 1999. Title V of the Act, known as The Land Between the Lakes Protection Act of 1998, is classified generally to this subchapter. For complete classification of this Act to the Code, see Tables.

§ 460III–42. Statement of policy

It is the policy of the United States that, to the maximum extent practicable—

(1) the transfer of jurisdiction over the Recreation Area from the Tennessee Valley Authority to the Secretary should be effected in an efficient and cost-effective manner; and

(2) due consideration should be given to minimizing—

(A) disruption of the personal lives of the Tennessee Valley Authority and Forest Service employees; and

(B) adverse impacts on permittees, contractees, and others owning or operating businesses affected by the transfer.

(Pub. L. 105–277, div. A, §101(e) [title V, §542], Oct. 21, 1998, 112 Stat. 2681–231, 2681–318.)