

(b) Cooperation with Federal and State agencies

The Secretary may cooperate with all Federal and State authorities and agencies that have programs which will hasten completion of the recreation area and render services which will aid him in evaluating and effectuating the establishment of adequate summer and winter outdoor recreation facilities.

(Pub. L. 89-438, §4, May 31, 1966, 80 Stat. 191.)

§ 460r-4. Administration, protection, and development of area

The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote, or is compatible with, and does not significantly impair the purposes for which the recreation area is established.

(Pub. L. 89-438, §5, May 31, 1966, 80 Stat. 191.)

§ 460r-5. Hunting and fishing

The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Mount Rogers National Recreation Area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment, and shall issue regulations after consultation with the Commission of Game and Inland Fisheries of the State of Virginia.

(Pub. L. 89-438, §6, May, 31, 1966, 80 Stat. 191.)

SUBCHAPTER LXXVII—PICTURED ROCKS
NATIONAL LAKESHORE

§ 460s. Establishment

In order to preserve for the benefit, inspiration, education, recreational use, and enjoyment of the public a significant portion of the diminishing shoreline of the United States and its related geographic and scientific features, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take appropriate action, as herein provided, to establish in the State of Michigan the Pictured Rocks National Lakeshore.

(Pub. L. 89-668, §1, Oct. 15, 1966, 80 Stat. 922.)

§ 460s-1. Description of area

The area comprising that particular land and water depicted on the map identified as "Proposed Pictured Rocks National Lakeshore, United States Department of the Interior, National Park Service, Boundary Map, NL-PR-7100A, July 1966", which is on file and available for public inspection in the office of the National Park Service of the Department of the Interior, is hereby designated for establish-

ment as the Pictured Rocks National Lakeshore. An exact copy of such map shall be filed for publication in the Federal Register within thirty days following October 15, 1966.

(Pub. L. 89-668, §2, Oct. 15, 1966, 80 Stat. 922.)

§ 460s-2. Establishment; notice in Federal Register

As soon as practicable after October 15, 1966, and following the acquisition by the Secretary of an acreage within the boundaries of the area which in his opinion is efficiently administrable for the purposes of this subchapter, he shall establish the Pictured Rocks National Lakeshore by publication of notice thereof in the Federal Register.

(Pub. L. 89-668, §3, Oct. 15, 1966, 80 Stat. 922.)

§ 460s-3. Pictured Rocks National Lakeshore Advisory Commission**(a) Establishment; termination**

There is hereby established a Pictured Rocks National Lakeshore Advisory Commission. Said commission shall terminate ten years after the date the lakeshore is established pursuant to this subchapter.

(b) Membership; term

The commission shall be composed of five members, each appointed for a term of two years by the Secretary, as follows:

- (1) Two members to be appointed from recommendations made by the county in which the lakeshore is situated;
- (2) Two members to be appointed from recommendations made by the Governor of the State of Michigan; and
- (3) One member to be designated by the Secretary.

(c) Chairman; vacancies

The Secretary shall designate one member to be chairman. Any vacancy in the commission shall be filled in the same manner in which the original appointment was made.

(d) Compensation and expenses

Members of the commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the commission in carrying out its responsibilities under this subchapter on vouchers signed by the chairman.

(e) Development consultations

The Secretary or his designee shall, from time to time, consult with the commission with respect to the matters relating to the development of the Pictured Rocks National Lakeshore.

(Pub. L. 89-668, §4, Oct. 15, 1966, 80 Stat. 922.)

§ 460s-4. Hunting and fishing

In administering the lakeshore the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the applicable laws of the United States and of Michigan. The Secretary, after consultation with the Michigan Department of Conservation, may designate zones and establish periods where and when no hunting shall be permitted for rea-

sons of public safety, administration, or public use and enjoyment. The Secretary shall, after consultation with such department, issue regulations, consistent with this section, as he may determine necessary to carry out the purposes of this section.

(Pub. L. 89-668, §5, Oct. 15, 1966, 80 Stat. 923.)

§ 460s-5. Administration, protection, and development

(a) Utilization of authority for conservation and management of natural resources

The administration, protection, and development of the Pictured Rocks National Lakeshore shall be exercised by the Secretary, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.),¹ as amended and supplemented, relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this subchapter.

(b) Land and water use management plan; preparation and implementation; provisions

In the administration, protection, and development of the lakeshore, the Secretary shall prepare and implement a land and water use management plan, which shall include specific provision for—

(1) development of facilities to provide the benefits of public recreation, including appropriate improvements to Alger County Road H-58;

(2) protection of scenic, scientific, and historic features contributing to public enjoyment; and

(3) such protection, management, and utilization (subject to the provisions of sections 460s-8 and 460s-9 of this title) of renewable natural resources, including forage and forest products, as in the judgment of the Secretary is consistent with, and does not significantly impair public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

(c) Prohibition of certain construction

A scenic shoreline drive may not be constructed in the Pictured Rocks National Lakeshore.

(Pub. L. 89-668, §6, Oct. 15, 1966, 80 Stat. 923; Pub. L. 105-378, title II, §202, Nov. 12, 1998, 112 Stat. 3398.)

Editorial Notes

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), referred to in subsec. (a), is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and

Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

AMENDMENTS

1998—Subsec. (b)(1). Pub. L. 105-378, §202(1), substituted “including appropriate improvements to Alger County Road H-58” for “including a scenic shoreline drive”.

Subsec. (c). Pub. L. 105-378, §202(2), added subsec. (c).

§ 460s-6. Taxing power

Nothing in this subchapter shall be construed as prohibiting governmental jurisdiction in the State of Michigan from assessing taxes upon any interest in real estate retained under the provisions of section 460s-10 of this title to the owner of such interest.

(Pub. L. 89-668, §7, Oct. 15, 1966, 80 Stat. 923.)

§ 460s-7. Acquisition of property

(a) Authority of Secretary; manner and place; condemnation authority

The Secretary is authorized, subject to the limitations, conditions, and restrictions imposed by this subchapter, to acquire the land, water, and other property, and improvements thereon, and any interests therein (including easements) within the boundary described in section 460s-1 of this title by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or condemnation; except that such authority to acquire by condemnation shall be exercised only in the manner and to the extent specifically authorized in this subchapter.

(b) Sale offers; hardship from delay

In exercising his authority to acquire property under this subchapter, the Secretary shall give immediate and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property to the Secretary. In considering any such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) State donations; transfer from Federal agency to administrative jurisdiction of Secretary

Any property or interests therein, owned by the State of Michigan, or any political subdivisions thereof, may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this subchapter.

(d) Negotiation and purchase; condemnation proceedings; fair market value

The Secretary shall make every reasonable effort to acquire property through negotiation and purchase. Where agreement is not reached and condemnation proceedings are filed, the owner of such property shall be paid the fair market value thereof as determined in such proceedings.

¹ See References in Text note below.