§ 90b–1. Exchange of property; cash equalization payments

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the park and recreation areas and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Washington which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(Pub. L. 90–544, title III, § 302, Oct. 2, 1968, 82 Stat. 927.)

§ 90b–2. Owner's retention of right of use and occupancy for agricultural, residential, or commercial purposes for life or term of years; transfer or assignment of right; termination of use and occupancy for a contrary use and upon payment of sum for unexpired right

Any owner of property acquired by the Secretary which on the date of acquisition is used for agricultural or single-family residential purposes, or for commercial purposes which he finds are compatible with the use and development of the park or the recreation areas, may, as a condition of such acquisition, retain the right of use and occupancy of the property for the same purposes for which it was used on such date, for a period ending at the death of the owner or the death of his spouse, whichever occurs later, or for a fixed term of not to exceed twenty-five years, whichever the owner may elect. Any right so retained may during its existence be transferred or assigned. Any right so retained may be terminated by the Secretary at any time after the date upon which any use of the property occurs which he finds is a use other than one which existed on the date of acquisition. In the event the Secretary terminates a right of use and occupancy under this section, he shall pay to the owner of the right the fair market value of the portion of said right which remains unexpired on the date of termination.

(Pub. L. 90–544, title III, § 303, Oct. 2, 1968, 82 Stat. 928.)

§ 90c. Administration

The Secretary shall administer the park in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4),[1] as amended and supplemented.

(Pub. L. 90–544, title IV, § 401, Oct. 2, 1968, 82 Stat. 928.)

Editorial Notes

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), referred to in text, 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.

[1] See References in Text note below.

Statutory Notes and Related Subsidiaries

NORTH CASCADES NATIONAL PARK SERVICE COMPLEX FISH STOCKING

Pub. L. 113–137, July 25, 2014, 128 Stat. 1741, provided that:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'North Cascades National Park Service Complex Fish Stocking Act'.

''SEC. 2. DEFINITIONS.

''In this Act:

''(1) NORTH CASCADES NATIONAL PARK SERVICE COMPLEX.—The term 'North Cascades National Park Service Complex' means collectively the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

''(2) PLAN.—The term 'plan' means the document entitled 'North Cascades National Park Service Complex Mountain Lakes Fishery Management Plan and Environmental Impact Statement' and dated June 2008.

''(3) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''SEC. 3. STOCKING OF CERTAIN LAKES IN THE NORTH CASCADES NATIONAL PARK SERVICE COMPLEX.

''(a) IN GENERAL.—Subject to subsection (b), the Secretary shall authorize the stocking of fish in lakes in the North Cascades National Park Service Complex.

''(b) CONDITIONS.—

''(1) IN GENERAL.—The Secretary is authorized to allow stocking of fish in not more than 42 of the 91 lakes in the North Cascades National Park Service Complex that have historically been stocked with fish.

''(2) NATIVE NONREPRODUCING FISH.—The Secretary shall only stock fish that are—

''(A) native to the slope of the Cascade Range on which the lake to be stocked is located; and

''(B) nonreproducing, as identified in management alternative B of the plan.

''(3) CONSIDERATIONS.—In making fish stocking decisions under this Act, the Secretary shall consider relevant scientific information, including the plan and information gathered under subsection (c).

''(4) REQUIRED COORDINATION.—The Secretary shall coordinate the stocking of fish under this Act with the State of Washington.

''(c) RESEARCH AND MONITORING.—The Secretary shall—

''(1) continue a program of research and monitoring of the impacts of fish stocking on the resources of the applicable unit of the North Cascades National Park Service Complex; and

''(2) beginning on the date that is 5 years after the date of enactment of this Act [July 25, 2014] and every 5 years thereafter, submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the results of the research and monitoring under paragraph (1).''