

**§ 90c-1. Administration of recreation areas****(a) Statement of purposes; utilization of authorities for administration of national park system and for conservation and management of natural resources**

The Secretary shall administer the recreation areas in a manner which in his judgment will best provide for (1) public outdoor recreation benefits and (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment. Within that portion of the Lake Chelan National Recreation Area which is not designated as wilderness, such management, utilization, and disposal of renewable natural resources and the continuation of existing uses and developments as will promote, or are compatible with, or do not significantly impair public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment, are authorized. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith. Within the Ross Lake National Recreation Area the removal and disposal of trees within power line rights-of-way are authorized as necessary to protect transmission lines, towers, and equipment.<sup>1</sup> *Provided*, That to the extent practicable, such removal and disposal of trees shall be conducted in such a manner as to protect scenic viewsheds.

**(b) Lands withdrawn from location, entry, and patent under mining laws; removal of minerals**

The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from all forms of appropriation or disposal under the public land laws, including location, entry, and patent under the United States mining laws, and disposition under the United States mineral leasing laws: *Provided, however*, That within that portion of the Lake Chelan National Recreation Area which is not designated as wilderness, sand, rock and gravel may be made available for sale to the residents of Stehekin for local use so long as such sale and disposal does not have significant adverse effects on the administration of the Lake Chelan National Recreation Area.

**(c) Receipts, disposition**

All receipts derived from permits and leases issued on lands or interests in lands within the recreation areas under the Mineral Leasing Act of February 25, 1920, as amended [30 U.S.C. 181 et seq.], or the Acquired Lands Mineral Leasing Act of August 7, 1947 [30 U.S.C. 351 et seq.], shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals within the recreation areas shall be disposed of in the same manner as moneys received from the sale of public lands.

<sup>1</sup> So in original.

**(d) Hunting and fishing**

The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation areas in accordance with applicable laws of the United States and of the State of Washington, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Department of Game of the State of Washington.

**(e) Road construction or use restrictions**

The Secretary shall not permit the construction or use of any road within the park which would provide vehicular access from the North Cross State Highway to the Stehekin Road. Neither shall he permit the construction or use of any permanent road which would provide vehicular access between May Creek and Hozomeen along the east side of Ross Lake.

(Pub. L. 90-544, title IV, § 402, Oct. 2, 1968, 82 Stat. 928; Pub. L. 100-668, title II, §§ 205, 206, Nov. 16, 1988, 102 Stat. 3964.)

**Editorial Notes****REFERENCES IN TEXT**

The Mineral Leasing Act of February 25, 1920, as amended, referred to in subsec. (c), 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.

The Acquired Lands Mineral Leasing Act of August 7, 1947, referred to in subsec. (c), is act Aug. 7, 1947, ch. 513, 61 Stat. 913, which is classified generally to chapter 7 (§ 351 et seq.) of Title 30. For complete classification of this Act to the Code, see Short Title note set out under section 351 of Title 30 and Tables.

**AMENDMENTS**

1988—Subsec. (a). Pub. L. 100-668, § 205, amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The Secretary shall administer the recreation areas in a manner which 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 renewable natural resources and the continuation of such existing uses and developments as will promote or are compatible with, or do not significantly impair, public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith.”

Subsec. (b). Pub. L. 100-668, § 206, amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary, under such reasonable regulations as he deems appropriate, may permit the removal of

the nonleasable minerals from lands or interest in lands within the recreation areas in the manner prescribed by section 387 of title 43, and he may permit the removal of leasable minerals from lands or interests in lands within the recreation areas in accordance with the Mineral Leasing Act of February 25, 1920, as amended, or the Acquired Lands Mineral Leasing Act of August 7, 1947, if he finds that such disposition would not have significant adverse effects on the administration of the recreation areas."

**§ 90d. Distributive share of counties of receipts for schools and roads unaffected**

The distributive shares of the respective counties of receipts from the national forests from which the national park and recreation areas are created, as paid under the provisions of section 500 of this title, shall not be affected by the elimination of lands from such national forests by the enactment of this subchapter.

(Pub. L. 90-544, title V, § 501, Oct. 2, 1968, 82 Stat. 929.)

**§ 90d-1. Contracts, leases, permits, or licenses for occupation or use of Federal lands in the park or recreation areas; continuation of privileges for original or extended term**

Where any Federal lands included in the park or recreation areas are legally occupied or utilized on October 2, 1968, for any purpose, pursuant to a contract, lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary shall permit the persons holding such privileges to continue in the exercise thereof, subject to the terms and conditions thereof, for the remainder of the term of the contract, lease, permit, or license or for such longer period of time as the Secretary deems appropriate.

(Pub. L. 90-544, title V, § 502, Oct. 2, 1968, 82 Stat. 929.)

**§ 90d-2. State rights or privileges in property within recreation area used for certain highway unaffected**

Nothing in this subchapter shall be construed to affect adversely or to authorize any Federal agency to take any action that would affect adversely any rights or privileges of the State of Washington in property within the Ross Lake National Recreation Area which is being utilized for the North Cross State Highway.

(Pub. L. 90-544, title V, § 503, Oct. 2, 1968, 82 Stat. 929.)

**§ 90d-3. Administration of areas designated for public use facilities or for administrative purposes by Secretaries of the Interior and Agriculture; plan for construction of such facilities**

Within two years from October 2, 1968, the Secretary of the Interior and the Secretary of Agriculture shall agree on the designation of areas within the park or recreation areas or within national forests adjacent to the park and recreation areas needed for public use facilities and for administrative purposes by the Secretary of Agriculture or the Secretary of the Interior, respectively. The areas so designated shall be ad-

ministered in a manner that is mutually agreeable to the two Secretaries, and such public use facilities, including interpretive centers, visitor contact stations, lodges, campsites, and ski lifts, shall be constructed according to a plan agreed upon by the two Secretaries.

(Pub. L. 90-544, title V, § 504, Oct. 2, 1968, 82 Stat. 930.)

**§ 90d-4. Federal Power Act administrative jurisdiction unaffected**

Nothing in this subchapter shall be construed to supersede, repeal, modify, or impair the jurisdiction of the Federal Power Commission under the Federal Power Act (41 Stat. 1063), as amended [16 U.S.C. 791a et seq.], in the lands and waters within the Skagit River Hydroelectric Project, Federal Energy and Regulatory Commission Project 553, including the proposed Copper Creek, High Ross, and Thunder Creek elements of the Project; and the Newhalem Project, Federal Energy and Regulatory Commission Project 2705, within the Ross Lake National Recreation Area; the lands and waters within the Lake Chelan Project, Federal Energy and Regulatory Commission Project 637; the Company Creek small hydroelectric project at Stehekin within the Lake Chelan National Recreation Area; and existing hydrologic monitoring stations necessary for the proper operation of the hydroelectric projects listed herein.

(Pub. L. 90-544, title V, § 505, Oct. 2, 1968, 82 Stat. 930; Pub. L. 100-668, title II, § 202, Nov. 16, 1988, 102 Stat. 3963.)

**Editorial Notes**

**REFERENCES IN TEXT**

The Federal Power Act, referred to in text, is act June 20, 1920, ch. 285, 41 Stat. 1063, which is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

**AMENDMENTS**

1988—Pub. L. 100-668 substituted “in the lands and waters within the Skagit River Hydroelectric Project, Federal Energy and Regulatory Commission Project 553, including the proposed Copper Creek, High Ross, and Thunder Creek elements of the Project; and the Newhalem Project, Federal Energy and Regulatory Commission Project 2705, within the Ross Lake National Recreation Area; the lands and waters within the Lake Chelan Project, Federal Energy and Regulatory Commission Project 637; the Company Creek small hydroelectric project at Stehekin within the Lake Chelan National Recreation Area; and existing hydrologic monitoring stations necessary for the proper operation of the hydroelectric projects listed herein” for “in the recreation areas”.

**Statutory Notes and Related Subsidiaries**

**TRANSFER OF FUNCTIONS**

The Federal Power Commission was terminated, and its functions, personnel, property, funds, etc., were transferred to the Secretary of Energy (except for certain functions which were transferred to the Federal Energy Regulatory Commission) by sections 7151(b), 7171(a), 7172(a), 7291, and 7293 of Title 42, The Public Health and Welfare.

**§ 90d-5. Authorization of appropriations**

There are hereby authorized to be appropriated such sums as may be necessary to carry