

the Secretary of lands or interests in lands in Unit VII-D will not interfere with planned improvements to the interchange and 15th Avenue in the area.

(b) Before acquiring lands or interests in lands in Unit I-M (as designated on the map referred to in section 460u of this title) the Secretary shall consult with the Commissioner of the Indiana Department of Transportation to determine what lands or interests in lands are required by the State of Indiana for improvements to State Road 49 and reconstruction and relocation of the interchange with State Road 49 and U.S. 20 so that the acquisition by the Secretary of lands or interests in lands in Unit I-M will not interfere with planned improvements to such interchange and State Road 49 in the area.

(Pub. L. 89-761, §26, as added Pub. L. 102-430, §7, Oct. 23, 1992, 106 Stat. 2209.)

#### SUBCHAPTER LXXX—FLAMING GORGE NATIONAL RECREATION AREA

##### § 460v. Establishment

In order to provide, in furtherance of the purposes of the Colorado River storage project, for the public outdoor recreation use and enjoyment of the Flaming Gorge Reservoir and surrounding lands in the States of Utah and Wyoming and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Flaming Gorge National Recreation Area in the States of Utah and Wyoming (hereinafter referred to as the "recreation area"). The boundaries of the recreation area shall be those shown on the map entitled "Proposed Flaming Gorge National Recreation Area," which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture.

(Pub. L. 90-540, §1, Oct. 1, 1968, 82 Stat. 904.)

#### DUTCH JOHN FEDERAL PROPERTY DISPOSITION AND ASSISTANCE

Pub. L. 105-326, Oct. 30, 1998, 112 Stat. 3040, as amended by Pub. L. 106-176, title III, §303, Mar. 10, 2000, 114 Stat. 32, related to disposition of certain Federal properties located in Dutch John, Utah, and to assistance to local government in interim delivery of basic services to Dutch John community.

##### § 460v-1. Administration, protection, and development by Secretary of Agriculture; administration of land or waters for Colorado River storage project by Secretary of the Interior

The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in a manner coordinated with the other purposes of the Colorado River storage project, and 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 are compatible with, and do not significantly impair the purposes for which the recreation area is established: *Provided*, That lands or waters needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

(Pub. L. 90-540, §2, Oct. 1, 1968, 82 Stat. 904.)

##### § 460v-2. Boundaries; adjustments; publication in Federal Register

Within six months after October 1, 1968, the Secretary shall publish in the Federal Register a detailed description of the boundaries of the recreation area. Following such publication, the Secretary may make minor adjustments in the boundary of the recreation area by publication of the amended description thereof in the Federal Register: *Provided*, That the total acreage of the recreation area within the adjusted boundary does not exceed the acreage of the recreation area as shown on the map referred to in section 460v of this title.

(Pub. L. 90-540, §3, Oct. 1, 1968, 82 Stat. 904.)

##### § 460v-3. Hunting, fishing, and trapping

The Secretary shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable Federal and State laws: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Nothing in this subchapter shall affect the jurisdiction or responsibilities of the States of Utah and Wyoming under other provisions of State laws with respect to hunting and fishing.

(Pub. L. 90-540, §4, Oct. 1, 1968, 82 Stat. 904.)

##### § 460v-4. Lands withdrawn from location, entry, and patent under United States mining laws; removal of minerals; receipts, disposition

The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary of the Interior, under such regulations as he deems appropriate, may permit the removal of the non-leasable minerals from lands or interests in lands within the recreation area 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 area in accordance with the Mineral Leasing Act of February 24, 1920,<sup>1</sup> 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.], if he finds that such disposition would not have significant adverse effects on the purposes of the Colorado River storage project and the Secretary of Agriculture finds that such disposition would not have significant adverse effects on the

<sup>1</sup> So in original. Probably should be "February 25, 1920,".

purposes of the recreation area: *Provided*, That any lease or permit respecting such minerals in the recreation area shall be issued only with the consent of the Secretary of Agriculture and subject to such conditions as he may prescribe.

All receipts derived from permits and leases issued under the authority of this section for removal of nonleasable minerals shall be paid into the same funds or accounts in the Treasury of the United States and shall be distributed in the same manner as provided for receipts from national forests. Any receipts derived from permits or leases issued on lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act.

(Pub. L. 90-540, § 5, Oct. 1, 1968, 82 Stat. 904.)

#### REFERENCES IN TEXT

The Acquired Lands Mineral Leasing Act of August 7, 1947, referred to in text, 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.

#### § 460v-5. Ashley National Forest; addition of lands of Flaming Gorge National Recreation Area

The boundaries of the Ashley National Forest are hereby extended to include all of the lands not presently within such boundaries lying within the recreation area as described in accordance with sections 460v and 460v-2 of this title.

(Pub. L. 90-540, § 6, Oct. 1, 1968, 82 Stat. 905.)

#### § 460v-6. Addition of lands to Forest; administration of land for Colorado River storage project by Secretary of the Interior

Subject to any valid claim or entry now existing and hereafter legally maintained, all public lands of the United States and all lands of the United States heretofore or hereafter acquired or reserved for use in connection with the Colorado River storage project within the exterior boundaries of the recreation area which have not heretofore been added to and made a part of the Ashley National Forest, and all lands of the United States acquired for the purpose of the recreation area, are hereby added to and made a part of the Ashley National Forest: *Provided*, That lands within the flow lines of any reservoir operated and maintained by the Department of the Interior or otherwise needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

(Pub. L. 90-540, § 7, Oct. 1, 1968, 82 Stat. 905.)

#### § 460v-7. Availability of land and water conservation fund moneys

Funds hereafter appropriated and available for the acquisition of lands and waters and interests therein in the national forest system pursuant to section 460l-9 of this title, shall be available for the acquisition of any lands, waters, and interests therein within the boundaries of the recreation area.

(Pub. L. 90-540, § 8, Oct. 1, 1968, 82 Stat. 905.)

#### § 460v-8. State and local jurisdiction

Nothing in this subchapter shall deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this subchapter or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

(Pub. L. 90-540, § 9, Oct. 1, 1968, 82 Stat. 905.)

### SUBCHAPTER LXXXI—APOSTLE ISLANDS NATIONAL LAKESHORE

#### § 460w. Establishment; boundaries

In order to conserve and develop for the benefit, inspiration, education, recreational use, and enjoyment of the public certain significant islands and shoreline of the United States and their related geographic, scenic, and scientific values, there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore") in Ashland and Bayfield Counties, Wisconsin, consisting of:

##### (a) In general

the<sup>1</sup> area generally depicted on the map entitled "Apostle Islands National Lakeshore", numbered NL-AI-91,000, sheets 1 and 2, and dated June 1970; and

##### (b) Long Island addition

Approximately 200 acres of land at the mouth of Chequamegon Bay known as "Long Island", as depicted on the map numbered NL-AI-91,001 and dated December, 1985.<sup>2</sup>

The maps shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior.

(Pub. L. 91-424, § 1, Sept. 26, 1970, 84 Stat. 880; Pub. L. 99-497, § 1(1), Oct. 17, 1986, 100 Stat. 1267.)

#### AMENDMENTS

1986—Pub. L. 99-497 designated the provision specifying the boundaries of the Apostle Islands National Lakeshore as the area depicted on the map numbered NL-AI-91,000 as par. (a), substituted "1970; and" for "1970", added par. (b), and in provision following par. (b) substituted "maps" for "map".

#### § 460w-1. Boundaries not to include lands held in trust by United States for Red Cliff Band or Bad River Band of Lake Superior Chippewa Indians; exceptions

No lands held in trust by the United States for either the Red Cliff Band or Bad River Band of the Lake Superior Chippewa Indians, or for allottees thereof, shall be acquired or included within the boundaries of the lakeshore established by this subchapter, with the following exception:

If the Indians who own more than 50 per centum of the interest in allotment number 74 GL or allotment number 135 in the Red Cliff Res-

<sup>1</sup> So in original. Probably should be capitalized.

<sup>2</sup> So in original.