

an area extending two miles from the bank of the river channel or both sides of the river segments referred to in section 1276(a)(77) through (88) of this title, from all forms of appropriations under the mining laws and operation of the mineral leasing laws during the periods specified in section 1278(b) of this title.

§ 1281. Administration

(a) Public use and enjoyment of components; protection of features; management plans

Each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its esthetic, scenic, historic, archeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.

(b) Wilderness areas

Any portion of a component of the national wild and scenic rivers system that is within the national wilderness preservation system, as established by or pursuant to the Wilderness Act [16 U.S.C. 1131 et seq.], shall be subject to the provisions of both the Wilderness Act and this chapter with respect to preservation of such river and its immediate environment, and in case of conflict between the provisions of the Wilderness Act and this chapter the more restrictive provisions shall apply.

(c) Areas administered by National Park Service and Fish and Wildlife Service

Any component of the national wild and scenic rivers system that is administered by the Secretary of the Interior through the National Park Service shall become a part of the national park system, and any such component that is administered by the Secretary through the Fish and Wildlife Service shall become a part of the national wildlife refuge system. The lands involved shall be subject to the provisions of this chapter and the Acts under which the national park system or national wildlife system, as the case may be, is administered, and in case of conflict between the provisions of this chapter and such Acts, the more restrictive provisions shall apply. The Secretary of the Interior, in his administration of any component of the national wild and scenic rivers system, may utilize such general statutory authorities relating to areas of the national park system and such general statutory authorities otherwise available to him for recreation and preservation purposes and for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this chapter.

(d) Statutory authorities relating to national forests

The Secretary of Agriculture, in his administration of any component of the national wild and scenic rivers system area, may utilize the general statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this chapter.

(e) Cooperative agreements with State and local governments

The Federal agency charged with the administration of any component of the national wild and scenic rivers system may enter into written cooperative agreements with the Governor of a State, the head of any State agency, or the appropriate official of a political subdivision of a State for State or local governmental participation in the administration of the component. The States and their political subdivisions shall be encouraged to cooperate in the planning and administration of components of the system which include or adjoin State- or county-owned lands.

(Pub. L. 90-542, § 10, Oct. 2, 1968, 82 Stat. 916.)

REFERENCES IN TEXT

The Wilderness Act, referred to in subsec. (a), is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The Acts under which the national park system and the national wildlife system are administered, referred to in subsec. (c), are classified generally to this title.

CODIFICATION

The first reference to the Wilderness Act in subsec. (b) was in the original a reference to the Act of September 3, 1964 (78 Stat. 890).

TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of the Interior and Secretary or other official in Department of Agriculture under this chapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 1278 of this title.

MANAGEMENT OF SEGMENT OF SALMON RIVER DESIGNATED AS COMPONENT OF WILD AND SCENIC RIVERS SYSTEM LOCATED WITHIN FRANK CHURCH—RIVER OF NO RETURN WILDERNESS OR GOSPEL-HUMP WILDERNESS

Pub. L. 96-312, §9(b), July 23, 1980, 94 Stat. 953, as amended Pub. L. 98-231, §1, Mar. 14, 1984, 98 Stat. 60, provided: "That segment of the main Salmon River designated as a component of the Wild and Scenic Rivers System by this Act [see 16 U.S.C. 1274(a)(24)], which lies within the Frank Church—River of No Return Wilderness or the Gospel-Hump Wilderness designated by Public Law 95-237 [Pub. L. 95-237, §4, Feb. 24, 1978, 92 Stat. 43], shall be managed under the provisions of the Wild and Scenic Rivers Act, as amended [16 U.S.C. 1271 et seq.], and the regulations promulgated pursuant thereto, notwithstanding section 10(b) of the Wild and Scenic Rivers Act [16 U.S.C. 1281(b)] or any provisions of the Wilderness Act [16 U.S.C. 1131 et seq.] to the contrary."

§ 1282. Assistance to State and local projects

(a) Assistance of Secretary of the Interior

The Secretary of the Interior shall encourage and assist the States to consider, in formulating and carrying out their comprehensive statewide outdoor recreation plans and proposals for financing assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) [16

U.S.C. 4607-4 et seq.], needs and opportunities for establishing State and local wild, scenic and recreational river areas.

(b) Assistance of Secretaries of the Interior, Agriculture, or other Federal agency heads; use of Federal facilities, equipment, etc.; conditions on permits or other authorizations

(1) The Secretary of the Interior, the Secretary of Agriculture, or the head of any other Federal agency, shall assist, advise, and cooperate with States or their political subdivisions, landowners, private organizations, or individuals to plan, protect, and manage river resources. Such assistance, advice, and cooperation may be through written agreements or otherwise. This authority applies within or outside a federally administered area and applies to rivers which are components of the National Wild and Scenic Rivers System and to other rivers. Any agreement under this subsection may include provisions for limited financial or other assistance to encourage participation in the acquisition, protection, and management of river resources.

(2) Wherever appropriate in furtherance of this chapter, the Secretary of Agriculture and the Secretary of the Interior are authorized and encouraged to utilize the following:

(A) For activities on federally owned land, the Volunteers in the Parks Act of 1969 [16 U.S.C. 18g et seq.] and the Volunteers in the Forest Act of 1972 (16 U.S.C. 558a-558d).

(B) For activities on all other lands, section 6 of the Land and Water Conservation Fund Act of 1965 [16 U.S.C. 4607-8] (relating to the development of statewide comprehensive outdoor recreation plans).

(3) For purposes of this subsection, the appropriate Secretary or the head of any Federal agency may utilize and make available Federal facilities, equipment, tools and technical assistance to volunteers and volunteer organizations, subject to such limitations and restrictions as the appropriate Secretary or the head of any Federal agency deems necessary or desirable.

(4) No permit or other authorization provided for under provision of any other Federal law shall be conditioned on the existence of any agreement provided for in this section.

(Pub. L. 90-542, § 11, Oct. 2, 1968, 82 Stat. 916; Pub. L. 99-590, title V, § 508, Oct. 30, 1986, 100 Stat. 3337.)

REFERENCES IN TEXT

The Land and Water Conservation Fund Act of 1965, referred to in subsec. (a), is Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, which is classified generally to part B (§ 4607-4 et seq.) of subchapter LXIX of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4607-4 of this title and Tables.

The Volunteers in the Parks Act of 1969, referred to in subsec. (b)(2)(A), is Pub. L. 91-357, July 29, 1970, 84 Stat. 472, which is classified generally to subchapter II (§ 18g et seq.) of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 18g of this title and Tables.

The Volunteers in the Forest Act of 1972, referred to in subsec. (b)(2)(A), probably means the Volunteers in the National Forests Act of 1972, Pub. L. 92-300, May 18, 1972, 86 Stat. 147, which is classified generally to sec-

tion 558a et seq. of this title. For complete classification of this Act to the Code, see Short Title note set out under section 558a of this title and Tables.

AMENDMENTS

1986—Subsec. (a). Pub. L. 99-590 struck out provisions relating to provision of technical assistance and advice to and cooperation with States, etc., in establishment of areas.

Subsec. (b). Pub. L. 99-590 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The Secretaries of Agriculture and of Health and Human Services shall likewise, in accordance with the authority vested in them assist, advise, and cooperate with State and local agencies and private interests with respect to establishing such wild, scenic and recreational river areas.”

§ 1283. Management policies

(a) Action of Secretaries and heads of agencies; cooperative agreements

The Secretary of the Interior, the Secretary of Agriculture, and the head of any other Federal department or agency having jurisdiction over any lands which include, border upon, or are adjacent to, any river included within the National Wild and Scenic Rivers System or under consideration for such inclusion, in accordance with section 1273(a)(ii), 1274(a), or 1276(a) of this title, shall take such action respecting management policies, regulations, contracts, plans, affecting such lands, following November 10, 1978, as may be necessary to protect such rivers in accordance with the purposes of this chapter. Such Secretary or other department or agency head shall, where appropriate, enter into written cooperative agreements with the appropriate State or local official for the planning, administration, and management of Federal lands which are within the boundaries of any rivers for which approval has been granted under section 1273(a)(ii) of this title. Particular attention shall be given to scheduled timber harvesting, road construction, and similar activities which might be contrary to the purposes of this chapter.

(b) Existing rights, privileges, and contracts affecting Federal lands

Nothing in this section shall be construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party.

(c) Water pollution

The head of any agency administering a component of the national wild and scenic rivers system shall cooperate with the Administrator, Environmental Protection Agency and with the appropriate State water pollution control agencies for the purpose of eliminating or diminishing the pollution of waters of the river.

(Pub. L. 90-542, § 12, Oct. 2, 1968, 82 Stat. 917; Pub. L. 95-625, title VII, § 762, Nov. 10, 1978, 92 Stat. 3533; Pub. L. 99-590, title V, § 509, Oct. 30, 1986, 100 Stat. 3337.)

AMENDMENTS

1986—Subsec. (c). Pub. L. 99-590 substituted “Administrator, Environmental Protection Agency” for “Secretary of the Interior”.

1978—Subsec. (a). Pub. L. 95-625 substituted provision for action to be taken by Secretaries and heads of agencies for prior provision for review by such officials,