

Pub. L. 99-190, §101(d) [title I], Dec. 19, 1985, 99 Stat. 1224, 1226.

Pub. L. 98-473, title I, §101(c) [title I], Oct. 12, 1984, 98 Stat. 1837, 1840.

Pub. L. 98-146, title I, Nov. 4, 1983, 97 Stat. 921.

Pub. L. 97-394, title I, Dec. 30, 1982, 96 Stat. 1968.

Pub. L. 97-100, title I, Dec. 23, 1981, 95 Stat. 1393.

Pub. L. 96-514, title I, Dec. 12, 1980, 94 Stat. 2959.

Pub. L. 96-126, title I, Nov. 27, 1979, 93 Stat. 956.

### § 1753. Grazing advisory boards

#### (a) Establishment; maintenance

For each Bureau district office and National Forest headquarters office in the sixteen contiguous Western States having jurisdiction over more than five hundred thousand acres of lands subject to commercial livestock grazing (hereinafter in this section referred to as "office"), the Secretary and the Secretary of Agriculture, upon the petition of a simple majority of the livestock lessees and permittees under the jurisdiction of such office, shall establish and maintain at least one grazing advisory board of not more than fifteen advisers.

#### (b) Functions

The function of grazing advisory boards established pursuant to this section shall be to offer advice and make recommendations to the head of the office involved concerning the development of allotment management plans and the utilization of range-betterment funds.

#### (c) Appointment and terms of members

The number of advisers on each board and the number of years an adviser may serve shall be determined by the Secretary concerned in his discretion. Each board shall consist of livestock representatives who shall be lessees or permittees in the area administered by the office concerned and shall be chosen by the lessees and permittees in the area through an election prescribed by the Secretary concerned.

#### (d) Meetings

Each grazing advisory board shall meet at least once annually.

#### (e) Federal Advisory Committee Act applicability

Except as may be otherwise provided by this section, the provisions of the Federal Advisory Committee Act (86 Stat. 770) shall apply to grazing advisory boards.

#### (f) Expiration date

The provisions of this section shall expire December 31, 1985.

(Pub. L. 94-579, title IV, §403, Oct. 21, 1976, 90 Stat. 2775; Pub. L. 95-514, §10, Oct. 25, 1978, 92 Stat. 1808.)

#### REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (e), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

#### AMENDMENTS

1978—Subsec. (a). Pub. L. 95-514 substituted "sixteen contiguous Western States" for "eleven contiguous Western States".

### SUBCHAPTER V—RIGHTS-OF-WAY

#### § 1761. Grant, issue, or renewal of rights-of-way

##### (a) Authorized purposes

The Secretary, with respect to the public lands (including public lands, as defined in section 1702(e) of this title, which are reserved from entry pursuant to section 24 of the Federal Power Act (16 U.S.C. 818)) and, the Secretary of Agriculture, with respect to lands within the National Forest System (except in each case land designated as wilderness), are authorized to grant, issue, or renew rights-of-way over, upon, under, or through such lands for—

(1) reservoirs, canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other facilities and systems for the impoundment, storage, transportation, or distribution of water;

(2) pipelines and other systems for the transportation or distribution of liquids and gases, other than water and other than oil, natural gas, synthetic liquid or gaseous fuels, or any refined product produced therefrom, and for storage and terminal facilities in connection therewith;

(3) pipelines, slurry and emulsion systems, and conveyor belts for transportation and distribution of solid materials, and facilities for the storage of such materials in connection therewith;

(4) systems for generation, transmission, and distribution of electric energy, except that the applicant shall also comply with all applicable requirements of the Federal Energy Regulatory Commission under the Federal Power Act, including part 1<sup>1</sup> thereof (41 Stat. 1063, 16 U.S.C. 791a-825r);<sup>2</sup>

(5) systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communication;

(6) roads, trails, highways, railroads, canals, tunnels, tramways, airways, livestock driveways, or other means of transportation except where such facilities are constructed and maintained in connection with commercial recreation facilities on lands in the National Forest System; or

(7) such other necessary transportation or other systems or facilities which are in the public interest and which require rights-of-way over, upon, under, or through such lands.

##### (b) Procedures applicable; administration

(1) The Secretary concerned shall require, prior to granting, issuing, or renewing a right-of-way, that the applicant submit and disclose those plans, contracts, agreements, or other information reasonably related to the use, or intended use, of the right-of-way, including its effect on competition, which he deems necessary to a determination, in accordance with the provisions of this Act, as to whether a right-of-way shall be granted, issued, or renewed and the terms and conditions which should be included in the right-of-way.

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

<sup>2</sup> So in original. The period preceding the semicolon probably should not appear.