

§ 410mm-1. Administration

(a) Laws governing; conservation and protection of resources

The Secretary shall administer the park in accordance with this subchapter and with the provisions of law generally applicable to units of the national park system, including sections 1, 2, 3, and 4 of this title. The Secretary shall protect, manage, and administer the park in such manner as to conserve and protect the scenery, the natural, geologic, historic, and archaeological resources of the park, including fish and wildlife and to provide for the public use and enjoyment of the same in such a manner as to perpetuate these qualities for future generations.

(b) Fishing

The Secretary shall permit fishing on lands and waters under his jurisdiction within the park in accordance with the applicable laws of the United States and the State of Nevada, except that he may designate zones where, and periods when, no fishing may be permitted for reasons of public safety. Except in emergencies, any regulations prescribing such restrictions relating to fishing,¹ shall be put into effect only after consultation with the appropriate State agency having jurisdiction over fishing activities.

(c) Preparation of management plan; submission to Congress; amendment of plan

After notice and opportunity for public hearing, the Secretary shall prepare a management plan for the park. The Secretary shall submit such plan to the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate within three years after October 27, 1986. Such plan may be amended from time to time. The plan shall include, but not be limited to, provisions related to grazing within the park to the extent permitted under subsection (e) of this section and provisions providing for the appropriate management of fish and wildlife and fishing within the park in accordance with subsection (b) of this section. Such provisions shall be adopted only after consultation with the appropriate State agency having jurisdiction over fish and wildlife.

(d) Withdrawal of lands from mining and mineral leasing

Subject to valid existing rights, Federal lands and interests therein, within the park, are withdrawn from disposition under the public lands laws and from entry or appropriation under the mining laws of the United States, from the operation of the mineral leasing laws of the United States, and from operation of the Geothermal Steam Act of 1970, as amended [30 U.S.C. 1001 et seq.].

(e) Grazing

Subject to such limitations, conditions, or regulations as he may prescribe, the Secretary may permit grazing on lands within the park to the same extent as was permitted on such lands

as of July 1, 1985. Grazing within the park shall be administered by the National Park Service.

(f) Exchange of park grazing allotment for grazing allotment outside park

(1) Exchanges

At the request of the permittee, or at the initiative of the Secretary, negotiations may take place at any time with holders of valid existing grazing permits and grazing leases on land within the park, for an exchange of all or part of their grazing allotments for allotments outside the park. No such exchange shall take place if, in the opinion of the affected Federal land management agency, the exchange would result in overgrazing of Federal lands.

(2) Acquisition by donation

(A) In general

The Secretary may acquire by donation valid existing permits and grazing leases authorizing grazing on land in the park.

(B) Termination

The Secretary shall terminate a grazing permit or grazing lease acquired under subparagraph (A) so as to end grazing previously authorized by the permit or lease.

(g) Water-related range improvements

Existing water-related range improvements inside the park may be maintained by the Secretary or the persons benefitting from them, subject to reasonable regulation by the Secretary.

(h) Reservation to United States of new express or implied water or water-related right not established; exception

Nothing in this subchapter shall be construed to establish a new express or implied reservation to the United States of any water or water-related right with respect to the land described in section 410mm of this title: *Provided*, That the United States shall be entitled to only that express or implied reserved water right which may have been associated with the initial establishment and withdrawal of Humboldt National Forest and the Lehman Caves National Monument from the public domain with respect to the land described in section 410mm of this title. No provision of this subchapter shall be construed as authorizing the appropriation of water, except in accordance with the substantive and procedural law of the State of Nevada.

(i) Cooperative agreements with Federal and other agencies; interpretation of Great Basin physiographic region

In order to encourage unified and cost-effective interpretation of the Great Basin physiographic region, the Secretary is authorized and encouraged to enter into cooperative agreements with other Federal, State, and local public departments and agencies providing for the interpretation of the Great Basin physiographic region. Such agreements shall include, but not be limited to, authority for the Secretary to develop and operate interpretive facilities and programs on lands and waters outside of the boundaries of such park, with the concurrence of the owner or administrator thereof.

¹ So in original. The comma probably should not appear.

(Pub. L. 99-565, §3, Oct. 27, 1986, 100 Stat. 3182; Pub. L. 104-134, title I, §101(c) [title III, §319], Apr. 26, 1996, 110 Stat. 1321-156, 1321-203; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.)

REFERENCES IN TEXT

The Geothermal Steam Act of 1970, as amended, referred to in subsec. (d), is Pub. L. 91-581, Dec. 24, 1970, 84 Stat. 1566, which is classified principally to chapter 23 (§1001 et seq.) of Title 30. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 30 and Tables.

AMENDMENTS

1996—Subsec. (e). Pub. L. 104-134, §101(c) [title III, §319(1)], substituted “may permit” for “shall permit” in first sentence.

Subsec. (f). Pub. L. 104-134, §101(c) [title III, §319(2)], designated existing provisions as par. (1), inserted heading, substituted “grazing permits and grazing leases” for “grazing permits”, and added par. (2).

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

§ 410mm-2. Acquisition of land

(a) The Secretary may acquire land or interests in land within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange, but no such lands or interests therein may be acquired without the consent of the owner thereof. Lands owned by the State of Nevada or any political subdivision thereof may be acquired only by donation or exchange.

(b) Lands and waters, and interests therein, within the boundaries of the park which were administered by the Forest Service, United States Department of Agriculture prior to October 27, 1986, are hereby transferred to the administrative jurisdiction of the Secretary to be administered in accordance with this subchapter. The boundaries of the Humboldt National Forest shall be adjusted accordingly.

(Pub. L. 99-565, §4, Oct. 27, 1986, 100 Stat. 3183.)

§ 410mm-3. Authorization of appropriations

(a) Not more than \$800,000 are authorized to be appropriated for development of the park.

(b) Not more than \$200,000 are authorized to be appropriated for acquisition of lands and interests in land within the park.

(Pub. L. 99-565, §5, Oct. 27, 1986, 100 Stat. 3183.)

SUBCHAPTER LIX-L—SAN FRANCISCO
MARITIME NATIONAL HISTORICAL PARK**§ 410nn. Establishment****(a) In general**

In order to preserve and interpret the history and achievements of seafaring Americans and of the Nation’s maritime heritage, especially on the Pacific coast, there is hereby established the San Francisco Maritime National Historical Park (hereinafter in this subchapter referred to as the “park”).

(b) Area included

The park shall consist of the lands and interests therein within the area generally depicted on the map entitled “Boundary Map, San Francisco Maritime National Historical Park”, numbered 641/80,053 and dated April 7, 1987. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior and in the office of the Superintendent of the park. If the Secretary of the Interior (hereinafter in this subchapter referred to as the “Secretary”) determines, upon completion of the General Management Plan for the park, that the inclusion of the property at Jefferson and Hyde Streets, San Francisco, known as the Haslett Warehouse, would promote the purposes of the park, the Secretary may adjust the boundaries of the park to include that property after notification to the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The Secretary may make other minor revisions of the boundary of the park in accordance with section 4607-9(c) of this title.

(c) Golden Gate National Recreation Area

The Secretary shall revise the boundaries of the Golden Gate National Recreation Area to exclude from the National Recreation Area the area within the park (as depicted on the boundary map referred to in subsection (b) of this section). The Secretary shall transfer to the jurisdiction of the park all real and personal property of the United States administered by the Secretary as part of the National Recreation Area located within the boundaries of the park (including the museum building), together with all vessels, marine collections, libraries, historic documents, equipment and other marine artifacts which are administered by the Secretary as part of the National Recreation Area and which relate to maritime history.

(d) Museum building

The building housing and displaying the marine collections, libraries, historic documents, equipment, and marine artifacts shall be named the “Sala Burton Building” and an appropriate plaque with this designation shall be prominently displayed as part of the structure.

(Pub. L. 100-348, §2, June 27, 1988, 102 Stat. 654; Pub. L. 103-437, §6(d)(11), Nov. 2, 1994, 108 Stat. 4584.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a) and (b), was in the original “this Act”, meaning Pub. L. 100-348, June 27, 1988, 102 Stat. 654, known as the San Francisco Maritime National Historical Park Act of 1988, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

SHORT TITLE

Pub. L. 100-348, §1, June 27, 1988, 102 Stat. 654, provided that: “This Act [enacting this subchapter and