

enacted provisions set out as a note under section 2687 of Title 10.

#### § 410aaa-78. Access to private property

The Secretary shall provide adequate access to nonfederally owned land or interests in land within the boundaries of the conservation units and wilderness areas designated by this Act which will provide the owner of such land or interest the reasonable use and enjoyment thereof.

(Pub. L. 103-433, title VII, § 708, Oct. 31, 1994, 108 Stat. 4500.)

##### REFERENCES IN TEXT

This Act, referred to in text, is defined in section 410aaa-81 of this title.

#### § 410aaa-79. Federal facilities fee equity

##### (a) Policy statement

It is the intent of Congress that entrance, tourism or recreational use fees for use of Federal lands and facilities not discriminate against any State or any region of the country.

##### (b) Fee study

The Secretary, in cooperation with other affected agencies, shall prepare and submit a report by May 1, 1996 to the Committee on Energy and Natural Resources of the United States Senate, the Committee on Natural Resources of the United States House of Representatives, and any other relevant committees, which shall—

- (1) identify all Federal lands and facilities that provide recreational or tourism use; and
- (2) analyze by State and region any fees charged for entrance, recreational or tourism use, if any, on Federal lands or facilities in a State or region, individually and collectively.

##### (c) Recommendations

Following completion of the report in subsection (b) of this section, the Secretary, in cooperation with other affected agencies, shall prepare and submit a report by May 1, 1997 to the Committee on Energy and Natural Resources of the United States Senate, the Committee on Natural Resources of the United States House of Representatives, and any other relevant committees, which shall contain recommendations which the Secretary deems appropriate for implementing the congressional intent outlined in subsection (a) of this section.

(Pub. L. 103-433, title VII, § 709, Oct. 31, 1994, 108 Stat. 4500.)

#### § 410aaa-80. Land appraisal

Lands and interests in lands acquired pursuant to this Act shall be appraised without regard to the presence of a species listed as threatened or endangered pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(Pub. L. 103-433, title VII, § 710, Oct. 31, 1994, 108 Stat. 4501.)

##### REFERENCES IN TEXT

This Act, referred to in text, is defined in section 410aaa-81 of this title.

The Endangered Species Act of 1973, referred to in text, is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as

amended, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

#### § 410aaa-81. Definition

Any reference to the term “this Act” in titles I through IX shall be deemed to be solely a reference to sections 1 and 2, and titles I through IX.

(Pub. L. 103-433, title VII, § 711, Oct. 31, 1994, 108 Stat. 4501.)

##### REFERENCES IN TEXT

Sections 1 and 2 and titles I to IX, referred to in text, are sections 1 and 2 and titles I to IX of Pub. L. 103-433, Oct. 31, 1994, 108 Stat. 4471, known as the California Desert Protection Act of 1994. Sections 1 and 2 of the Act are set out as notes under section 410aaa of this title. Titles I to IX of the Act are classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 410aaa of this title and Tables.

##### “SECRETARY” DEFINED

Section 103 of Pub. L. 103-433 provided in part that in this subchapter “Secretary” means the Secretary of the Interior.

#### § 410aaa-82. Military overflights

##### (a) Overflights

Nothing in this Act, the Wilderness Act [16 U.S.C. 1131 et seq.], or other land management laws generally applicable to the new units of the National Park or Wilderness Preservation Systems (or any additions to existing units) designated by this Act, shall restrict or preclude low-level overflights of military aircraft over such units, including military overflights that can be seen or heard within such units.

##### (b) Special airspace

Nothing in this Act, the Wilderness Act [16 U.S.C. 1131 et seq.], or other land management laws generally applicable to the new units of the National Park or Wilderness Preservation Systems (or any additions to existing units) designated by this Act, shall restrict or preclude the designation of new units of special airspace or the use or establishment of military flight training routes over such new park system or wilderness units.

##### (c) No effect on other laws

Nothing in this section shall be construed to modify, expand, or diminish any authority under other Federal law.

(Pub. L. 103-433, title VIII, § 802, Oct. 31, 1994, 108 Stat. 4501.)

##### REFERENCES IN TEXT

This Act, referred to in subsecs. (a) and (b), is defined in section 410aaa-81 of this title.

The Wilderness Act, referred to in subsecs. (a) and (b), 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.

##### SHORT TITLE AND FINDINGS

Pub. L. 103-433, title VIII, § 801, Oct. 31, 1994, 108 Stat. 4501, provided that: