

acquisition less the fair market value on such date of the right retained by the owner.

**(b) Termination right of Secretary upon determination that retained property or any portion thereof has ceased to be used for non-commercial residential or agricultural purposes; adjustment of compensation**

A right of use and occupancy retained pursuant to this section may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ceased to be used for non-commercial residential or for agricultural purposes, and upon tender to the holder of a right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

**(c) "Improved property" defined**

The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1967, or before January 1, 1985 for those lands referred to in section 460w(b) of this title (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(Pub. L. 91-424, §4, Sept. 26, 1970, 84 Stat. 880; Pub. L. 99-497, §1(3), Oct. 17, 1986, 100 Stat. 1267.)

AMENDMENTS

1986—Subsec. (c). Pub. L. 99-497 inserted ", or before January 1, 1985 for those lands referred to in section 460w(b) of this title".

**§ 460w-4. Hunting, fishing, and trapping**

The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin and the United States to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, trapping, or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, trapping, and fishing activities.

(Pub. L. 91-424, §5, Sept. 26, 1970, 84 Stat. 881.)

**§ 460w-5. Administration, protection, and development of lakeshore by Secretary**

The lakeshore shall be administered, protected, and developed in accordance with the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented; and sections 8 to 8c of this title, as amended, except that any other statutory authority available to the Sec-

retary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this subchapter.

(Pub. L. 91-424, §6, Sept. 26, 1970, 84 Stat. 881.)

**§ 460w-6. Land and water use management plan; adoption, implementation, and revision of plan by Secretary; required provisions of plan**

In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include specific provision for—

(a) protection of scenic, scientific, historic, geological, and archeological features contributing to public education, inspiration, and enjoyment;

(b) development of facilities to provide the benefits of public recreation together with such access roads as he deems appropriate; and

(c) preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historical, scientific, and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, and services as he may deem desirable.

(Pub. L. 91-424, §7, Sept. 26, 1970, 84 Stat. 881.)

**§ 460w-7. Authorization of appropriations**

There are authorized to be appropriated not more than \$5,250,000 for the acquisition of lands and interests in lands and not more than \$5,000,000 for the development of the Apostle Islands National Lakeshore. Effective October 1, 1986, there are authorized to be appropriated such additional sums as may be necessary for the acquisition of the lands described in section 460w(b) of this title.

(Pub. L. 91-424, §8, Sept. 26, 1970, 84 Stat. 881; Pub. L. 93-477, title I, §101(11), Oct. 26, 1974, 88 Stat. 1445; Pub. L. 99-497, §1(4), Oct. 17, 1986, 100 Stat. 1267.)

AMENDMENTS

1986—Pub. L. 99-497 inserted provision authorizing additional sums to be appropriated as necessary for acquisition of lands described in section 460w(b) of this title.

1974—Pub. L. 93-477 substituted "\$5,250,000" for "\$4,250,000".

SUBCHAPTER LXXXII—SLEEPING BEAR  
DUNES NATIONAL LAKESHORE

**§ 460x. Establishment**

**(a) Purpose; administration**

The Congress finds that certain outstanding natural features, including forests, beaches, dune formations, and ancient glacial phenomena, exist along the mainland shore of Lake Michigan and on certain nearby islands in Benzie and Leelanau Counties, Michigan, and that such features ought to be preserved in their natural setting and protected from develop-