

§ 346b. Consolidation of Zion National Park and Zion National Monument

For the purpose of combining Zion National Park and Zion National Monument, Utah, in a single National park unit, in the interest of efficient administration and to preserve adequately the features thereof, Zion National Park on and after July 11, 1956, shall comprise the present area of the National Park and the present area of the Zion National Monument: *Provided*, That the enactment of sections 346b to 346d of this title shall not affect adversely any valid rights or privileges heretofore existing within the areas hereby established as the Zion National Park.

(July 11, 1956, ch. 568, §1, 70 Stat. 527.)

§ 346c. Administration

The Secretary of the Interior is authorized to administer Zion National Park as hereby established in accordance with his authority over the park heretofore granted by the Congress and in accordance with the general laws governing areas of the national park system.

(July 11, 1956, ch. 568, §2, 70 Stat. 527.)

§ 346d. Use of funds

All funds heretofore made available for purposes of Zion National Park and Zion National Monument may be used for purposes of Zion National Park as established by sections 346b to 346d of this title.

(July 11, 1956, ch. 568, §3, 70 Stat. 527.)

§ 346e. Authorization for park facilities to be located outside the boundaries of Zion National Park and Yosemite National Park

In order to facilitate the administration of Zion National Park and Yosemite National Park, the Secretary of the Interior is authorized, under such terms and conditions as he may deem advisable, to expend donated or appropriated funds for transportation systems or for the establishment of essential facilities for park administration and visitor use outside the boundaries, but within the vicinity, of the park. Such systems or facilities and the use thereof shall be in conformity with approved plans for the park. The Secretary shall use existing facilities wherever feasible. Such facilities may only be constructed by the Secretary upon a finding that the location of such facilities would—

- (1) avoid undue degradation of natural or cultural resources within the park;
- (2) enhance service to the public; or
- (3) provide a cost saving to the Federal Government.

The Secretary is authorized to enter into cooperative agreements with State or local governments or private entities to undertake the authority granted under this section. The Secretary is encouraged to identify and utilize funding sources to supplement any Federal funding used for these facilities.

(Pub. L. 104-333, div. I, title VIII, §814(c), Nov. 12, 1996, 110 Stat. 4195; Pub. L. 109-131, title I, §102(a), Dec. 20, 2005, 119 Stat. 2567.)

AMENDMENTS

2005—Pub. L. 109-131 inserted “and Yosemite National Park” after “Zion National Park” in section catchline and in introductory provisions, inserted “for transportation systems or” after “appropriated funds” in introductory provisions, and substituted “systems or facilities” for “facilities” in introductory provisions.

SUBCHAPTER XXXIX—DENALI NATIONAL PARK

§ 347. Establishment; boundaries

The tract of land in the Territory of Alaska particularly described by and included within the metes and bounds, to wit: Beginning at a point as shown on Plate III, reconnaissance map of the Mount McKinley region, Alaska, prepared in the United States Geological Survey, edition of 1911, said point being at the summit of a hill between two forks of the headwaters of the Toklat River, approximate latitude sixty-three degrees forty-seven minutes, longitude one hundred and fifty degrees twenty minutes; thence south six degrees twenty minutes west nineteen miles; thence south sixty-eight degrees west sixty miles; thence in a southeasterly direction approximately twenty-eight miles to the summit of Mount Russell; thence in a northeasterly direction approximately eighty-nine miles to a point twenty-five miles due south of a point due east of the point of beginning; thence due north twenty-five miles to said point; thence due west twenty-eight and one-half miles to the point of beginning, is reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said tract is dedicated and set apart as a public park for the benefit and enjoyment of the people, under the name of the Denali National Park. In addition to the above-described tract, all those lands lying between the south, east, and north boundaries above described and the following described boundary are made a part of and included in the Denali National Park for all purposes, to wit: Beginning at the summit of Mount Russell, which is the present southwest corner of the park; thence in a northeasterly direction one hundred miles, more or less, to a point on the one hundred and forty-ninth meridian, which is twenty-five miles south of a point due east of the upper northwest corner of the park; thence north along the one hundred and forty-ninth meridian twenty-five miles; thence west forty miles, more or less, to the upper northwest corner of Denali National Park as existing prior to January 30, 1922.

(Feb. 26, 1917, ch. 121, §1, 39 Stat. 938; Jan. 30, 1922, ch. 39, 42 Stat. 359; Pub. L. 96-487, title II, §202(3)(a), Dec. 2, 1980, 94 Stat. 2382; Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1000.)

CODIFICATION

The first sentence of this section was from section 1 of act Feb. 26, 1917, and the second sentence, comprising the remainder of the section, from act Jan. 30, 1922.

As originally enacted the second sentence of this section, extending the boundaries of the park, provided as follows “That the south, east, and north boundaries of the Mount McKinley National Park are hereby changed as follows: Beginning at the summit of Mount Russell, which is the present southwest corner of the park; thence in a northeasterly direction one hundred miles, more or less, to a point on the one hundred and forty-

ninth meridian which is twenty-five miles south of a point due east of the upper northwest corner of the park; thence north along the one hundred and forty-ninth meridian twenty-five miles; thence west forty miles, more or less, to the present upper northwest corner of Mount McKinley National Park. And all these lands lying between the above-described boundary and the present south, east, and north boundaries are hereby reserved and withdrawn from settlement, occupancy, or disposal, and under the laws of the United States said lands are hereby made a part of and included in the Mount McKinley National Park; and all the provisions of the Act to establish Mount McKinley National Park, Alaska, and for other purposes, approved February 26, 1917, are hereby made applicable to and extended over lands hereby added to the park."

CHANGE OF NAME

"United States Geological Survey" substituted in text for "Geological Survey" pursuant to provision of title I of Pub. L. 102-154, set out as a note under section 31 of Title 43, Public Lands.

"Denali National Park" substituted in text for "Mount McKinley National Park" pursuant to Pub. L. 96-487, §202(3)(a), which is classified to section 410hh-1(3)(a) of this title and which added lands to the park, established additional land as the Denali National Preserve, and redesignated the whole as the Denali National Park and Preserve.

FEASIBILITY STUDY FOR NORTHERN ACCESS ROUTE INTO DENALI NATIONAL PARK AND PRESERVE

Pub. L. 104-134, title I, §101(c) [title I], Apr. 26, 1996, 110 Stat. 1321-156, 1321-164; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, provided in part that:

"The National Park Service shall, within existing funds, conduct a Feasibility Study for a northern access route into Denali National Park and Preserve in Alaska, to be completed within one year of the enactment of this Act [Apr. 26, 1996] and submitted to the House and Senate Committees on Appropriations and to the Senate Committee on Energy and Natural Resources and the House Committee on Resources [now Committee on Natural Resources]. The Feasibility Study shall ensure that resource impacts from any plan to create such access route are evaluated with accurate information and according to a process that takes into consideration park values, visitor needs, a full range of alternatives, the viewpoints of all interested parties, including the tourism industry and the State of Alaska, and potential needs for compliance with the National Environmental Policy Act [of 1969] [42 U.S.C. 4321 et seq.]. The Study shall also address the time required for development of alternatives and identify all associated costs.

"This Feasibility Study shall be conducted solely by the National Park Service planning personnel permanently assigned to National Park Service offices located in the State of Alaska in consultation with the State of Alaska Department of Transportation."

ADMISSION OF ALASKA AS STATE

Admission of Alaska into the Union was accomplished Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

§ 348. Entries under land laws not affected

Nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, prior to February 26, 1917, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land.

(Feb. 26, 1917, ch. 121, §2, 39 Stat. 938.)

REFERENCES IN TEXT

Herein, referred to in text, is act Feb. 26, 1917, which is classified to sections 347 to 350, 351 to 353, and 354 of this title. For complete classification of this Act to the Code, see Tables.

The land laws of the United States, referred to in text, are classified generally to Title 43, Public Lands.

§ 349. Rights-of-way

Whenever consistent with the primary purposes of Denali National Park, section 79 of this title shall be applicable to the lands included within the park.

(Feb. 26, 1917, ch. 121, §3, 39 Stat. 938; Pub. L. 96-487, title II, §202(3)(a), Dec. 2, 1980, 94 Stat. 2382.)

REFERENCES IN TEXT

Section 79 of this title, referred to in text, was in the original a reference to act Feb. 15, 1901, ch. 372, 31 Stat. 790. For further details, see Codification note set out under section 79 of this title.

CHANGE OF NAME

"Denali National Park" substituted in text for "Mount McKinley National Park" pursuant to Pub. L. 96-487, §202(3)(a), which is classified to section 410hh-1(3)(a) of this title and which added lands to the park, established additional land as the Denali National Preserve, and redesignated the whole as the Denali National Park and Preserve.

§ 350. Repealed. Pub. L. 94-429, §3(b), Sept. 28, 1976, 90 Stat. 1342

Section, act Feb. 26, 1917, ch. 121, §4, 39 Stat. 938, provided that nothing in sections 347 to 349, 351 to 353, and 354 of this title was to affect the mineral land laws applicable to lands in the park prior to Feb. 26, 1917.

MINING RIGHTS EXISTING PRIOR TO SEPTEMBER 28, 1976

Section 3 of Pub. L. 94-429 provided in part that this section was repealed in order to close area to entry and location under the Mining Law of 1872, subject to valid existing rights.

§ 350a. Repealed. Pub. L. 94-429, §3(c), Sept. 28, 1976, 90 Stat. 1342

Section, act Jan. 26, 1931, ch. 47, §2, 46 Stat. 1043, provided that the Secretary of the Interior had the authority to prescribe regulations for the surface use of any mineral land locations within the boundaries of the park.

MINING RIGHTS EXISTING PRIOR TO SEPTEMBER 28, 1976

Section 3 of Pub. L. 94-429 provided in part that this section was repealed in order to close area to entry and location under the Mining Law of 1872, subject to valid existing rights.

§ 351. Control; rules and regulations

Denali National Park shall be under the executive control of the Secretary of the Interior, and it shall be the duty of the said executive authority, as soon as practicable, to make and publish such rules and regulations not inconsistent with the laws of the United States as the said authority may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the