

§ 460y-7. Withdrawal of certain public lands for classification; revocation of Executive Order Numbered 5237

The objectives of Executive Order Numbered 5237, dated December 10, 1929, which withdraw certain public lands for classification, having been accomplished by the enactment of this subchapter, that Executive order is hereby revoked effective as of the date the Secretary establishes the area.

(Pub. L. 91-476, §8, Oct. 21, 1970, 84 Stat. 1070.)

REFERENCES IN TEXT

Executive Order Numbered 5237, dated December 10, 1929, referred to in text, is not classified to the Code.

§ 460y-8. Survey and investigation area

(a) Description

The survey and investigation area referred to in section 460y of this title is described as follows:

MOUNT DIABLO MERIDIAN, CALIFORNIA

Township 24 north, range 19 west, sections 4 and 5.

HUMBOLDT MERIDIAN, CALIFORNIA

Township 5 south, range 1 east, all sections in township.

Township 5 south, range 2 east, section 6, lots 4 through 9; 16 through 21; and 24 through 26; section 7, lots 2 through 7; 10 through 15; section 18, lots 1 through 16; section 19, lots 1 through 16; southwest quarter northeast quarter and west half southeast quarter and sections 30 and 31; section 32, southwest quarter northeast quarter; south half northwest quarter; northwest quarter northwest quarter; southwest quarter and west half southeast quarter.

Township 4 south, range 1 west, all sections in township.

Township 4 south, range 1 east; section 4, south half; south half northeast quarter and south half northwest quarter; sections 5 through 9; 15 through 23; section 24, west half; section 25, west half; sections 26 through 35; section 36, lots 3 through 5 and 8 through 11 and southeast quarter.

Township 4 south, range 2 east, section 31, west half southeast quarter and southwest quarter.

Township 3 south, range 2 west, section 12, southeast quarter southeast quarter; sections 13 through 16 and 22 through 25.

Township 3 south, range 1 west, section 9, southwest quarter southwest quarter; section 12, south half southeast quarter and south half southwest quarter; sections 13 through 36.

Township 3 south, range 1 east, section 18, lots 1 through 4; section 19, lots 1 and 2, southwest quarter and west half southeast quarter; section 29, southwest quarter northwest quarter and west half southwest quarter; sections 30 and 31; section 32, west half.

Township 2 south, range 2 west, section 31, north half of lot 2 of the southwest quarter (43.40 acres of public land withdrawn by Executive Order 5237 of December 10, 1929); and 22.8 acres of acquired fee lands described by metes and

bounds in section 31, township 2 south, range 2 west, and section 36, township 2 south, range 3 west; and 31.27 acres of acquired easements described by metes and bounds across certain sections in township 2 south, ranges 2 and 3 west.

(b) Acquisition of adjacent lands; limitations

In addition to the lands described in subsection (a) of this section, the Secretary is authorized to acquire such land outside the area but in close proximity thereto as is necessary to facilitate sound management. Acquisition hereunder shall, however, not exceed three hundred and twenty acres and shall be limited to such purposes as headquarters facility requirements, ingress and egress routes and, where necessary, to straighten boundaries or round out acquisitions.

(c) Additions

In addition to the lands described in subsection (a) of this section, the land identified as the Punta Gorda Addition and the Southern Additions on the map entitled "King Range National Conservation Area Boundary Map No. 2", dated July 29, 1975, is included in the survey and investigation area referred to in section 460y of this title.

(d) Further additions

In addition to the land described in subsections (a) and (c), the land identified as the King Range National Conservation Area Additions on the map entitled "King Range Wilderness" and dated November 12, 2004, is included in the Area.

(Pub. L. 91-476, §9, Oct. 21, 1970, 84 Stat. 1070; Pub. L. 94-579, title VI, §602, Oct. 21, 1976, 90 Stat. 2784; Pub. L. 109-362, §8, Oct. 17, 2006, 120 Stat. 2071.)

AMENDMENTS

2006—Subsec. (d). Pub. L. 109-362 added subsec. (d).
1976—Subsec. (c). Pub. L. 94-579 added subsec. (c).

SAVINGS PROVISION

Amendment by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see note set out under section 1701 of Title 43, Public Lands.

§ 460y-9. Authorization of appropriations

(a) There are authorized to be appropriated such sums as may be necessary to accomplish the purposes of this subchapter, but not to exceed \$1,500,000 for the purchase of lands and interests in lands and not to exceed \$3,500,000 for the construction and improvements.

(b) In addition to any amounts authorized to be appropriated under subsection (a) of this section, there are authorized to be appropriated for fiscal years beginning on or after October 1, 1979, for the acquisition of lands and interests in lands under this subchapter—

(1) from the Land and Water Conservation Fund (established under the Land and Water Conservation Fund Act of 1965)¹ not to exceed \$5,000,000, and

(2) from any other sources an amount not to exceed the sum of (A) \$5,000,000, and (B) an

¹ See References in Text note below.

amount equal to the amount deposited in the Treasury under section 460y-4(3)(B) of this title after August 20, 1978,

such sums to remain available until expended.

(Pub. L. 91-476, §10, Oct. 21, 1970, 84 Stat. 1071; Pub. L. 95-352, §2(2), (3), Aug. 20, 1978, 92 Stat. 516.)

REFERENCES IN TEXT

The Land and Water Conservation Fund Act of 1965, referred to in subsec. (b)(1), is Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, which was classified principally to part B (§460l-4 et seq.) of subchapter LXIX of this chapter. Sections 2, 3, 4(i)(1)(C), (j) to (n), 5 to 10, and 201 of the Act were repealed and restated as sections 100506(c) and 100904 and chapter 2003 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

AMENDMENTS

1978—Pub. L. 95-352 designated existing provisions as subsec. (a) and added subsec. (b).

SUBCHAPTER LXXXIV—OREGON DUNES NATIONAL RECREATION AREA

§ 460z. Establishment

In order to provide for the public outdoor recreation use and enjoyment of certain ocean shorelines and dunes, forested areas, fresh water lakes, and recreational facilities in the State of Oregon by present and future generations and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Oregon Dunes National Recreation Area (hereinafter referred to as the “recreation area”).

(Pub. L. 92-260, §1, Mar. 23, 1972, 86 Stat. 99.)

§ 460z-1. Administration, protection, and development

The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the “Secretary”) in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best contribute the attainment of the purposes set forth in section 460z of this title.

(Pub. L. 92-260, §2, Mar. 23, 1972, 86 Stat. 99.)

§ 460z-2. Inland sector; establishment as buffer sector

The portion of the recreation area delineated as the “Inland Sector” on the map referenced in section 460z-3 of this title is hereby established as an inland buffer sector in order to promote such management and use of the lands, waters, and other properties within such sector as will best protect the values which contribute to the purposes set forth in section 460z of this title.

(Pub. L. 92-260, §3, Mar. 23, 1972, 86 Stat. 99.)

§ 460z-3. Boundary map; revision

The boundaries of the recreation area, as well as the boundaries of the inland sector included

therein, shall be as shown on a map entitled “Proposed Oregon Dunes National Recreation Area” dated May 1971, which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture, and to which is attached and hereby made a part thereof a detailed description by metes and bounds of the exterior boundaries of the recreation area and of the inland sector. The Secretary may by publication of a revised map or description in the Federal Register correct clerical or typographical errors in said map or descriptions.

(Pub. L. 92-260, §4, Mar. 23, 1972, 86 Stat. 99.)

SIUSLAW NATIONAL FOREST

The boundaries of the Siuslaw National Forest were extended by section 6 of Pub. L. 92-260 to include all lands described in accordance with this section. See note set out under sections 486a to 486w of this title.

§ 460z-4. Transfer of Federal property

Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area is hereby transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this subchapter, but lands presently administered by the United States Coast Guard or the United States Corps of Engineers may continue to be used by such agencies to the extent required.

(Pub. L. 92-260, §5, Mar. 23, 1972, 86 Stat. 99.)

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 460z-5. Land acquisition in inland sector

Within the inland sector established by section 460z-2 of this title the Secretary may acquire the following classes of property only with the consent of the owner:

- (a) improved property as hereinafter defined;
- (b) property used for commercial or industrial purposes if such commercial or industrial purposes are the same such purposes for which the property was being used on December 31, 1970, or such commercial or industrial purposes have been certified by the Secretary or his designee as compatible with or furthering the purposes of this subchapter;
- (c) timberlands under sustained yield management so long as the Secretary determines that such management is being conducted in accordance with standards for timber production, including but not limited to harvesting reforestation, and debris cleanup, not less stringent than management standards imposed by the Secretary on comparable national forest lands: *Provided*, That the Secretary may acquire such lands or interests therein without the consent of the owner if he determines that such lands or interests are es-