

(Pub. L. 88-590, § 5, Sept. 12, 1964, 78 Stat. 939.)

SUBCHAPTER XXX—ARCHES NATIONAL
PARK

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 and the following), referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title, amended sections 22 and 43 of this title and section 1457 of Title 43, Public Lands, and enacted provisions set out as a note under section 1 of this title. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 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.

§ 271e. Report to President

Within three years from November 12, 1971, the Secretary of the Interior shall report to the President, in accordance with section 1132(c) and (d) of this title, his recommendations as to the suitability or unsuitability of any area within the national park for preservation as wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said section 1132(c) and (d) of this title.

(Pub. L. 88-590, § 6, as added Pub. L. 92-154, § 1(d), Nov. 12, 1971, 85 Stat. 421.)

§ 271f. Omitted

CODIFICATION

Section, Pub. L. 88-590, § 7, as added Pub. L. 92-154, § 1(d), Nov. 12, 1971, 85 Stat. 421, authorized the Secretary to conduct a study of proposed road alignments within and adjacent to the park and to submit a report on the findings and conclusions of the study to the Congress within two years of Nov. 12, 1971.

§ 271g. Authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this subchapter, not to exceed, however, \$104,500 for the acquisition of lands and not to exceed \$5,102,000 (April 1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. The sums authorized in this section shall be available for acquisition and development in the areas added by this subchapter.

(Pub. L. 88-590, § 8, as added Pub. L. 92-154, § 1(d), Nov. 12, 1971, 85 Stat. 421; amended Pub. L. 94-578, title I, § 101(12), Oct. 21, 1976, 90 Stat. 2732.)

AMENDMENTS

1976—Pub. L. 94-578 substituted “\$104,500” for “\$16,000”.

§ 272. Establishment of park

(a) In general

(1) Initial boundaries

Subject to valid existing rights, the lands, waters, and interests therein within the boundary generally depicted on the map entitled “Boundary Map, Proposed Arches National Park, Utah,” numbered RPSSC-138-20, 001E and dated September 1969, are hereby established as the Arches National Park (hereinafter referred to as the “park”).

(2) Expanded boundaries

Effective on October 30, 1998, the boundary of the park shall include the area consisting of approximately 3,140 acres and known as the “Lost Spring Canyon Addition”, as depicted on the map entitled “Boundary Map, Arches National Park, Lost Spring Canyon Addition”, numbered 138/60,000-B, and dated April 1997.

(3) Maps

The maps described in paragraphs (1) and (2) shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(b) Abolition of Arches National Monument; funds of monument available for park; administration of lands excluded from monument

The Arches National Monument is hereby abolished, and any funds available for purposes of the monument shall be available for purposes of the park. Federal lands, waters, and interests therein excluded from the monument by this subchapter shall be administered by the Secretary of the Interior (hereinafter referred to as the “Secretary”) in accordance with the laws applicable to the public lands of the United States.

(Pub. L. 92-155, § 1, Nov. 12, 1971, 85 Stat. 422; Pub. L. 105-329, § 2(a), Oct. 30, 1998, 112 Stat. 3060.)

AMENDMENTS

1998—Pub. L. 105-329 inserted section designation and catchline and in subsec. (a) inserted subsec. heading, inserted par. (1) designation and heading before first sentence, added par. (2), inserted par. (3) designation and heading before second sentence and substituted “The maps described in paragraphs (1) and (2)” for “Such map”.

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-329, § 1, Oct. 30, 1998, 112 Stat. 3060, provided that: “This Act [enacting section 272g of this title, amending this section and sections 272a, 272b, and 272d of this title, and enacting provisions set out as a note under section 272g of this title] may be cited as the ‘Arches National Park Expansion Act of 1998’.”

§ 272a. Acquisition of property

(a) In general

The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange or otherwise, the lands and interests in

lands described in section 272 of this title, except that lands or interests therein owned by the State of Utah, or any political subdivision thereof, may be acquired only with the approval of such State or political subdivision.

(b) Lost Spring Canyon Addition

As soon as practicable after October 30, 1998, the Secretary shall transfer jurisdiction over the Federal land contained in the Lost Spring Canyon Addition from the Bureau of Land Management to the National Park Service.

(Pub. L. 92-155, §2, Nov. 12, 1971, 85 Stat. 422; Pub. L. 105-329, §2(b), Oct. 30, 1998, 112 Stat. 3060.)

AMENDMENTS

1998—Pub. L. 105-329 inserted section catchline and subsec. (a) designation and heading and added subsec. (b).

§ 272b. Livestock grazing

(a) In general

In a case in which any Federal lands included within the park are legally occupied or utilized on November 12, 1971, for grazing purposes, pursuant to a lease, permit, or license for a fixed term of years issued or authorized by any department, establishment, or agency of the United States, the Secretary of the Interior shall permit the persons holding such grazing privileges or their heirs to continue in the exercise thereof during the term of the lease, permit, or license, and one period of renewal thereafter.

(b) Lost Spring Canyon Addition

(1) Continuation of grazing leases, permits, and licenses

In the case of any grazing lease, permit, or license with respect to land in the Lost Spring Canyon Addition that was issued before October 30, 1998, the Secretary shall, subject to periodic renewal, continue the grazing lease, permit, or license for a period equal to the lifetime of the holder of the grazing lease, permit, or license as of October 30, 1998, plus the lifetime of any direct descendants of the holder born before October 30, 1998.

(2) Retirement

A grazing lease, permit, or license described in paragraph (1) shall be permanently retired at the end of the period described in paragraph (1).

(3) Periodic renewal

Until the expiration of the period described in paragraph (1), the holder (or descendant of the holder) of a grazing lease, permit, or license shall be entitled to renew the lease, permit, or license periodically, subject to such limitations, conditions, or regulations as the Secretary may prescribe.

(4) Sale

A grazing lease, permit, or license described in paragraph (1) may be sold during the period described in paragraph (1) only on the condition that the purchaser shall, immediately upon acquisition, permanently retire the lease, permit, or license.

(5) Taylor Grazing Act

Nothing in this subsection affects other provisions concerning leases, permits, or licenses

under the Act of June 28, 1934 (commonly known as the "Taylor Grazing Act") (48 Stat. 1269, chapter 865; 43 U.S.C. 315 et seq.).

(6) Administration

Any portion of a grazing lease, permit, or license with respect to land in the Lost Spring Canyon Addition shall be administered by the National Park Service.

(Pub. L. 92-155, §3, Nov. 12, 1971, 85 Stat. 422; Pub. L. 105-329, §2(c), Oct. 30, 1998, 112 Stat. 3060.)

REFERENCES IN TEXT

The Taylor Grazing Act, referred to in subsec. (b)(5), is act June 28, 1934, ch. 865, 48 Stat. 1269, as amended, which is classified principally to subchapter I (§315 et seq.) of chapter 8A of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 315 of Title 43 and Tables.

AMENDMENTS

1998—Pub. L. 105-329 inserted section catchline and subsec. (a) designation and heading and added subsec. (b).

§ 272c. Livestock trails, watering rights; driveway designation and regulation

Nothing in this subchapter shall be construed as affecting in any way any rights of owners and operators of cattle and sheep herds, existing on the date immediately prior to November 12, 1971, to trail their herds on traditional courses used by them prior to November 12, 1971, and to water their stock, notwithstanding the fact that the lands involving such trails and watering are situated within the park: *Provided*, That the Secretary may designate driveways and promulgate reasonable regulations providing for the use of such driveways.

(Pub. L. 92-155, §4, Nov. 12, 1971, 85 Stat. 422.)

§ 272d. Administration, protection, and development; report to President

(a) In general

The Secretary shall administer, protect and develop the park in accordance with the provisions of the law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535).¹

(b) Lost Spring Canyon Addition

(1) Withdrawal

Subject to valid existing rights, all Federal land in the Lost Spring Canyon Addition is appropriated and withdrawn from entry, location, selection, leasing, or other disposition under the public land laws (including the mineral leasing laws).

(2) Effect

The inclusion of the Lost Spring Canyon Addition in the park shall not affect the operation or maintenance by the Northwest Pipeline Corporation (or its successors or assigns) of the natural gas pipeline and related facilities located in the Lost Spring Canyon Addition on October 30, 1998.

¹ See References in Text note below.