

obtain the surface owner's written consent, or file with the Secretary a good and sufficient bond or undertaking to the United States in an amount acceptable to the Secretary for the use and benefit of the surface owner to secure payment of such damages as may be determined in an action brought on the bond or undertaking in a court of competent jurisdiction.

**(4) Payment of fair market value for purchased lands; determination by independent appraisal**

In the exercise of his authority to purchase lands under this subchapter to pay for any such purchased lands their fair market value, as determined by the Secretary, who may, in his discretion, base his determination on an independent appraisal obtained by him.

**(5) Identification of appropriate public uses of public lands and interests therein within Area; disposition of public lands within Area**

To identify the appropriate public uses of all of the public lands and interests therein within the Area. Disposition of the public lands within the Area, or any of the lands subsequently acquired as part of the Area, is prohibited, and the lands in the Area described in section 460y-8 of this title are hereby withdrawn from all forms of entry, selection, or location under existing or subsequent law, except as provided in section 460y-5 of this title. Notwithstanding any provision of this section, the Secretary may (A) exchange public lands or interests therein within the area for privately owned lands or interests therein also located within the Area, and (B) issue leases, licenses, contracts, or permits as provided by other laws.

**(6) Construction, operation, and maintenance of roads, trails, and other access and recreational facilities within Area**

To construct or cause to be constructed and to operate and maintain such roads, trails, and other access and recreational facilities in the area as the Secretary deems necessary and desirable for the proper protection, utilization, and development of the area.

**(7) Reforestation and revegetation of lands within Area; installation of soil- and water-conserving works and practices**

To reforest and revegetate such lands within the area and install such soil- and water-conserving works and practices to reduce erosion and improve forage and timber capacity as the Secretary deems necessary and desirable.

**(8) Cooperative arrangements with State and local governmental agencies, and nonprofit organizations concerning installation, construction, maintenance, and operation of access and recreational facilities, etc.; designation of zones and establishment of periods for hunting and fishing**

To enter into such cooperative arrangements with the State of California, local governmental agencies, and nonprofit organizations as the Secretary deems necessary or desirable concerning but not limited to installa-

tion, construction, maintenance, and operation of access and recreational facilities, reforestation, revegetation, soil and moisture conservation, and management of fish and wildlife including hunting and fishing and control of predators. The Secretary shall permit hunting and fishing on lands and waters under the jurisdiction within the boundaries of the recreation area in accordance with the applicable laws of the United States and the State of California, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

**(9) Issuance of regulations**

To issue such regulations and to do such other things as the Secretary deems necessary and desirable to carry out the terms of this subchapter.

(Pub. L. 91-476, §5, Oct. 21, 1970, 84 Stat. 1068; Pub. L. 95-352, §2(1), Aug. 20, 1978, 92 Stat. 516.)

AMENDMENTS

1978—Par. (3)(B). Pub. L. 95-352 inserted provisions relating to deposit of receipts into Treasury.

**§ 460y-5. Applicability of mining laws; prospecting commenced or conducted and mining claims located subsequent to October 21, 1970, as subject to regulations; patents issued on mining claims located subsequent to October 21, 1970, as subject to regulations; provisions of regulations; rights of owner of existing valid mining claim as unaffected**

(a) Subject to valid existing rights, nothing in this subchapter shall affect the applicability of the United States mining laws on the federally owned lands within the Area, except that all prospecting commenced or conducted and all mining claims located after October 21, 1970, shall be subject to such reasonable regulations as the Secretary may prescribe to effectuate the purposes of this subchapter. Any patent issued on any mining claim located after October 21, 1970, shall recite this limitation and continue to be subject to such regulations. All such regulations shall provide, among other things, for such measures as may be reasonable to protect the scenic and esthetic values of the Area against undue impairment and to assure against pollution of the streams and waters within the Area.

(b) Nothing in this section shall be construed to limit or restrict rights of the owner or owners of any existing valid mining claim.

(Pub. L. 91-476, §6, Oct. 21, 1970, 84 Stat. 1070.)

**§ 460y-6. Administration of public lands within Area**

Except as may otherwise be provided in this subchapter, the public lands within the area shall be administered by the Secretary under any authority available to him for the conservation, development, and management of natural

resources on public lands in California withdrawn by Executive Order Numbered 6910, dated November 26, 1934, to the extent that he finds such authority will further the purposes of this subchapter.

(Pub. L. 91-476, §7, Oct. 21, 1970, 84 Stat. 1070.)

REFERENCES IN TEXT

Executive Order Numbered 6910, dated November 26, 1934, referred to in text, is not classified to the Code.

**§ 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), there are authorized to be appropriated for fiscal years be-