

recreation area. Following such publication, the Secretary may make minor adjustments in the boundary of the recreation area by publication of the amended description thereof in the Federal Register: *Provided*, That the total acreage of the recreation area within the adjusted boundary does not exceed the acreage of the recreation area as shown on the map referred to in section 460v of this title.

(Pub. L. 90-540, § 3, Oct. 1, 1968, 82 Stat. 904.)

#### § 460v-3. Hunting, fishing, and trapping

The Secretary shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable Federal and State laws: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Nothing in this subchapter shall affect the jurisdiction or responsibilities of the States of Utah and Wyoming under other provisions of State laws with respect to hunting and fishing.

(Pub. L. 90-540, § 4, Oct. 1, 1968, 82 Stat. 904.)

#### § 460v-4. Lands withdrawn from location, entry, and patent under United States mining laws; removal of minerals; receipts, disposition

The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary of the Interior, under such regulations as he deems appropriate, may permit the removal of the non-leasable minerals from lands or interests in lands within the recreation area in the manner prescribed by section 387 of title 43, and he may permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 24, 1920,<sup>1</sup> as amended [30 U.S.C. 181 et seq.], or the Acquired Lands Mineral Leasing Act of August 7, 1947 [30 U.S.C. 351 et seq.], if he finds that such disposition would not have significant adverse effects on the purposes of the Colorado River storage project and the Secretary of Agriculture finds that such disposition would not have significant adverse effects on the purposes of the recreation area: *Provided*, That any lease or permit respecting such minerals in the recreation area shall be issued only with the consent of the Secretary of Agriculture and subject to such conditions as he may prescribe.

All receipts derived from permits and leases issued under the authority of this section for removal of nonleasable minerals shall be paid into the same funds or accounts in the Treasury of the United States and shall be distributed in the same manner as provided for receipts from national forests. Any receipts derived from permits or leases issued on lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947,

shall be disposed of as provided in the applicable Act.

(Pub. L. 90-540, § 5, Oct. 1, 1968, 82 Stat. 904.)

#### REFERENCES IN TEXT

The Acquired Lands Mineral Leasing Act of August 7, 1947, referred to in text, is act Aug. 7, 1947, ch. 513, 61 Stat. 913, which is classified generally to chapter 7 (§ 351 et seq.) of Title 30. For complete classification of this Act to the Code, see Short Title note set out under section 351 of Title 30 and Tables.

#### § 460v-5. Ashley National Forest; addition of lands of Flaming Gorge National Recreation Area

The boundaries of the Ashley National Forest are hereby extended to include all of the lands not presently within such boundaries lying within the recreation area as described in accordance with sections 460v and 460v-2 of this title.

(Pub. L. 90-540, § 6, Oct. 1, 1968, 82 Stat. 905.)

#### § 460v-6. Addition of lands to Forest; administration of land for Colorado River storage project by Secretary of the Interior

Subject to any valid claim or entry now existing and hereafter legally maintained, all public lands of the United States and all lands of the United States heretofore or hereafter acquired or reserved for use in connection with the Colorado River storage project within the exterior boundaries of the recreation area which have not heretofore been added to and made a part of the Ashley National Forest, and all lands of the United States acquired for the purpose of the recreation area, are hereby added to and made a part of the Ashley National Forest: *Provided*, That lands within the flow lines of any reservoir operated and maintained by the Department of the Interior or otherwise needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

(Pub. L. 90-540, § 7, Oct. 1, 1968, 82 Stat. 905.)

#### § 460v-7. Availability of land and water conservation fund moneys

Funds hereafter appropriated and available for the acquisition of lands and waters and interests therein in the national forest system pursuant to section 200306 of title 54 shall be available for the acquisition of any lands, waters, and interests therein within the boundaries of the recreation area.

(Pub. L. 90-540, § 8, Oct. 1, 1968, 82 Stat. 905; Pub. L. 113-287, § 5(d)(2), Dec. 19, 2014, 128 Stat. 3264.)

#### AMENDMENTS

2014—Pub. L. 113-287 substituted “section 200306 of title 54” for “section 460l-9 of this title.”

#### § 460v-8. State and local jurisdiction

Nothing in this subchapter shall deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this subchapter or of its right to tax persons, corporations, franchises, or other non-

<sup>1</sup> So in original. Probably should be “February 25, 1920.”

Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

(Pub. L. 90-540, §9, Oct. 1, 1968, 82 Stat. 905.)

SUBCHAPTER LXXXI—APOSTLE ISLANDS  
NATIONAL LAKESHORE

**§ 460w. Establishment; boundaries**

In order to conserve and develop for the benefit, inspiration, education, recreational use, and enjoyment of the public certain significant islands, shoreline, and light stations of the United States and their related geographic, scenic, historic, and scientific values, there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the “lakeshore”) in Ashland and Bayfield Counties, Wisconsin, consisting of:

**(a) In general**

The area generally depicted on the map entitled “Apostle Islands National Lakeshore”, numbered NL-AI-91,000, sheets 1 and 2, and dated June 1970.

**(b) Long Island addition**

Approximately 200 acres of land at the mouth of Chequamegon Bay known as “Long Island”, as depicted on the map numbered NL-AI-91,001 and dated December, 1985.

**(c) Ashland Harbor Breakwater Light**

(1) The Ashland Harbor Breakwater Light generally depicted on the map titled “Ashland Harbor Breakwater Light Addition to Apostle Islands National Lakeshore” and dated February 11, 2014, located at the end of the breakwater on Chequamegon Bay, Wisconsin.

(2) Congress does not intend for the designation of the property under paragraph (1) to create a protective perimeter or buffer zone around the boundary of that property.

The maps shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior.

(Pub. L. 91-424, §1, Sept. 26, 1970, 84 Stat. 880; Pub. L. 99-497, §1(1), Oct. 17, 1986, 100 Stat. 1267; Pub. L. 113-291, div. B, title XXX, §3030(1), Dec. 19, 2014, 128 Stat. 3766.)

AMENDMENTS

2014—Pub. L. 113-291, §3030(1)(A), in introductory provisions, substituted “islands, shoreline, and light stations” for “islands and shoreline” and inserted “historic,” after “scenic.”

Subsec. (a). Pub. L. 113-291, §3030(1)(B), substituted “The area” for “the area” and period at end for “; and”.

Subsec. (b). Pub. L. 113-291, §3030(1)(C), substituted “1985.” for “1985.”

Subsec. (c). Pub. L. 113-291, §3030(1)(D), added subsec. (c).

1986—Pub. L. 99-497 designated the provision specifying the boundaries of the Apostle Islands National Lakeshore as the area depicted on the map numbered NL-AI-91,000 as subsec. (a), substituted “1970; and” for “1970”, added subsec. (b), and in provision following subsec. (b) substituted “maps” for “map”.

**§ 460w-1. Boundaries not to include lands held in trust by United States for Red Cliff Band or Bad River Band of Lake Superior Chippewa Indians; exceptions**

No lands held in trust by the United States for either the Red Cliff Band or Bad River Band of the Lake Superior Chippewa Indians, or for allottees thereof, shall be acquired or included within the boundaries of the lakeshore established by this subchapter, with the following exception:

If the Indians who own more than 50 per centum of the interest in allotment number 74 GL or allotment number 135 in the Red Cliff Reservation agree to sell the allotment to the Secretary of the Interior (hereinafter referred to as the “Secretary”), the Secretary may consent to the sale on behalf of the other owners, purchase the allotment for the negotiated price and revise the boundaries of the lakeshore to include the allotment.

(Pub. L. 91-424, §2, Sept. 26, 1970, 84 Stat. 880.)

**§ 460w-2. Acquisition of property; authority of Secretary; State and Federal lands**

The Secretary may acquire within the boundaries of the lakeshore lands and interests therein by donation, purchase with donated or appropriated funds, or exchange, but lands and interests in lands owned by the State of Wisconsin may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore is hereby transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the lakeshore: *Provided*, That the United States Coast Guard may retain a right to utilize a portion of such land and facilities for use as navigational aids so long as may be required.

(Pub. L. 91-424, §3, Sept. 26, 1970, 84 Stat. 880; Pub. L. 99-497, §1(2), Oct. 17, 1986, 100 Stat. 1267.)

AMENDMENTS

1986—Pub. L. 99-497 substituted “is hereby” for “may, with the concurrence of the agency having custody thereof, be” and inserted proviso permitting the United States Coast Guard to utilize a portion of the lands and facilities for use as navigational aids as long as required.

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.

**§ 460w-3. Retention rights of owners of improved property**

**(a) Designation of lands as administrative site, visitor center, and related facilities; election by owners of term of rights retained; adjustment of compensation**

With the exception of not more than eighty acres of land to be designated within the lake-