

§ 460cc-4. Authorization of appropriations; limitation; adjustments

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter, but not more than \$12,125,000 for the acquisition of lands and interests in lands and not more than \$92,813,000 (July, 1971 prices) for development of the recreation area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the construction costs as indicated by engineering cost indices applicable to the type of construction involved herein.

(Pub. L. 92-592, § 5, Oct. 27, 1972, 86 Stat. 1311.)

SUBCHAPTER LXXXVIII—GLEN CANYON
NATIONAL RECREATION AREA

§ 460dd. Establishment; boundaries; publication in Federal Register

(a) In order to provide for public outdoor recreation use and enjoyment of Lake Powell and lands adjacent thereto in the States of Arizona and Utah and to preserve scenic, scientific, and historic features contributing to public enjoyment of the area, there is established the Glen Canyon National Recreation Area (hereafter referred to as the "recreation area") to comprise the area generally depicted on the drawing entitled "Boundary Map Glen Canyon National Recreation Area," numbered GLC-91,006 and dated August 1972, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior. The Secretary of the Interior (hereafter referred to as the "Secretary") may revise the boundaries of the recreation area from time to time by publication in the Federal Register of a revised drawing or other boundary description, but the total acreage of the national recreation area may not exceed 1,256,000 acres.

(b) In addition to the boundary change authority under subsection (a), the Secretary may acquire approximately 152 acres of private land in exchange for approximately 370 acres of land within the boundary of Glen Canyon National Recreation Area, as generally depicted on the map entitled "Page One Land Exchange Proposal", number 608/60573a-2002, and dated May 16, 2002. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service. Upon conclusion of the exchange, the boundary of the recreation area shall be revised to reflect the exchange.

(Pub. L. 92-593, § 1, Oct. 27, 1972, 86 Stat. 1311; Pub. L. 108-43, § 2, July 1, 2003, 117 Stat. 841.)

AMENDMENTS

2003—Pub. L. 108-43 designated existing provisions as subsec. (a), substituted "1,256,000 acres" for "one million two hundred and thirty-six thousand eight hundred and eighty acres", and added subsec. (b).

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-43, § 1, July 1, 2003, 117 Stat. 841, provided that: "This Act [amending this section] may be cited as the 'Glen Canyon National Recreation Area Boundary Revision Act'."

§ 460dd-1. Acquisition of property

(a) Authority of Secretary; donation or exchange of State lands; concurrence of tribal council respecting trust lands

Within the boundaries of the recreation area, the Secretary may acquire lands and interests in lands by donation, purchase, or exchange. Any lands owned by the States of Utah or Arizona, or any State, political subdivisions thereof, may be acquired only by donation or exchange. No lands held in trust for any Indian tribe may be acquired except with the concurrence of the tribal council.

(b) Navajo Indian Tribe and Tribal Council reserved mineral and land use rights unaffected

Nothing in this subchapter shall be construed to affect the mineral rights reserved to the Navajo Indian Tribe under section 2 of the Act of September 2, 1958 (72 Stat. 1686), or the rights reserved to the Navajo Indian Tribal Council in said section 2 with respect to the use of the lands there described under the heading "PARCEL B".

(Pub. L. 92-593, § 2, Oct. 27, 1972, 86 Stat. 1311.)

REFERENCES IN TEXT

Act of September 2, 1958 (72 Stat. 1686), referred to in subsec. (b), provided for exchange of lands between United States and Navajo Tribe and for other purposes, and was not classified to the Code.

§ 460dd-2. Public lands

(a) Withdrawal from location, entry, and patent under Federal mining laws; removal of minerals

The lands within the recreation area, subject to valid existing rights, are withdrawn from location, entry, and patent under the United States mining laws. Under such regulations as he deems appropriate, the Secretary shall permit the removal of the nonleasable minerals from lands or interests in lands within the national recreation area in the manner prescribed by section 387 of title 43, and he shall 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 25, 1920, 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 Glen Canyon project or on the administration of the national recreation area pursuant to this subchapter.

(b) Disposition of funds from permits and leases

All receipts derived from permits and leases issued on lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended [30 U.S.C. 181 et seq.], or the Act of August 7, 1947 [30 U.S.C. 351 et seq.], shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals within the recreation area shall be disposed of in the same manner as moneys received from the sale of public lands.

(Pub. L. 92-593, § 3, Oct. 27, 1972, 86 Stat. 1312.)

REFERENCES IN TEXT

The Mineral Leasing Act of February 25, 1920, as amended, referred to in text, is act Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 et seq.) of Title 30. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

The Acquired Lands Mineral Leasing Act of August 7, 1947, referred to in text, is act Aug. 7, 1947, ch. 513, 61 Stat. 913, as amended, 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.

§ 460dd-3. Administration, protection, and development; statutory authorities for conservation and management of natural resources; Glen Canyon Dam and Reservoir

The Secretary shall administer, protect, and develop the recreation area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.),¹ as amended and supplemented, and with any other statutory authority available to him for the conservation and management of natural resources to the extent he finds such authority will further the purposes of this subchapter: *Provided, however*, That nothing in this subchapter shall affect or interfere with the authority of the Secretary granted by Public Law 485, Eighty-fourth Congress, second session [43 U.S.C. 620 et seq.], to operate Glen Canyon Dam and Reservoir in accordance with the purposes of the Colorado River Storage Project Act [43 U.S.C. 620 et seq.] for river regulation, irrigation, flood control, and generation of hydroelectric power.

(Pub. L. 92-593, § 4, Oct. 27, 1972, 86 Stat. 1312.)

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), 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 and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. 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 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.

Public Law 485, Eighty-fourth Congress, second session, referred to in text, is act Apr. 11, 1956, ch. 203, 70 Stat. 105, as amended, which is popularly known as the Colorado River Storage Project Act, and which is classified generally to chapter 12B (§620 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 620 of Title 43 and Tables.

§ 460dd-4. Hunting and fishing

The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the States of Utah and Arizona, except that the Secretary may des-

¹ See References in Text note below.

ignate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulation of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

(Pub. L. 92-593, § 5, Oct. 27, 1972, 86 Stat. 1312.)

§ 460dd-5. Mineral and grazing leases; Bureau of Land Management administration and policies

The administration of mineral and grazing leases within the recreation area shall be by the Bureau of Land Management. The same policies followed by the Bureau of Land Management in issuing and administering mineral and grazing leases on other lands under its jurisdiction shall be followed in regard to the lands within the boundaries of the recreation area, subject to the provisions of sections 460dd-2(a) and 460dd-3 of this title.

(Pub. L. 92-593, § 6, Oct. 27, 1972, 86 Stat. 1312.)

§ 460dd-6. Easements and rights-of-way

The Secretary shall grant easements and rights-of-way on a nondiscriminatory basis upon, over, under, across, or along any component of the recreation area unless he finds that the route of such easements and rights-of-way would have significant adverse effects on the administration of the recreation area.

(Pub. L. 92-593, § 7, Oct. 27, 1972, 86 Stat. 1312.)

§ 460dd-7. Proposed road study

(a) Criteria and environmental impact of specific route

The Secretary, together with the Highway Department of the State of Utah, shall conduct a study of proposed road alignments within and adjacent to the recreation area. Such study shall locate the specific route of a scenic, low-speed road, hereby authorized, from Glen Canyon City to Bullfrog Basin, crossing the Escalante River south of the point where the river has entered Lake Powell when the lake is at the three thousand seven hundred-foot level. In determining the route for this road, special care shall be taken to minimize any adverse environmental impact and said road is not required to meet ordinary secondary road standards as to grade, alignment, and curvature. Turnouts, overlooks, and scenic vistas may be included in the road plan. In no event shall said route cross the Escalante River north of Stephens Arch.

(b) Timetable

The study shall include a reasonable timetable for the engineering, planning, and construction of the road authorized in subsection (a) and the Secretary of the Interior shall adhere to said timetable in every way feasible to him.

(c) Markers and other interpretative devices

The Secretary is authorized to construct and maintain markers and other interpretative devices consistent with highway safety standards.