this title. For complete classification of this Act to the Code, see Tables.

§ 45d. Exclusive privileges within park prohibited

No exclusive privilege shall be granted within said park, or on or over the roads and trails therein, except upon ground leased for the erection of buildings or camps thereon.

(July 3, 1926, ch. 744, § 4, 44 Stat. 820.)

§ 45e. Violations of park regulations; penalty

Any person found guilty of violating any of the provisions of this Act or any rule or regulation that may be promulgated by the Secretary of the Interior with reference to the management and care of the park, or for the protection of the property therein, for the preservation from injury or spoliation of timber, natural curiosities, or other objects within said park, or for the protection of the animals, birds, and fish in said park, shall be deemed guilty of a misdemeanor, and shall be subjected to a fine of not more than $500 or imprisonment not exceeding six months or both.

(July 3, 1926, ch. 744, § 5, 44 Stat. 820.)

REFERENCES IN TEXT

This Act, referred to in text, is act July 3, 1926, which is classified to sections 45a, 45b to 45e, and 688 of this title. For complete classification of this Act to the Code, see Tables.

§ 45f. Mineral King Valley addition authorized

(a) Statement of purpose

It is the purpose of this section to—

(1) assure the preservation for this and future generations of the outstanding natural and scenic features of the area commonly known as the Mineral King Valley and previously designated as the Sequoia National Game Refuge; and

(2) enhance the ecological values and public enjoyment of such area by adding such area to the Sequoia National Park.

(b) Drawing copy, availability; boundary revisions: notification of Congressional committees, publication in Federal Register; abolition and transfer of Sequoia National Game Refuge to administrative jurisdiction of Secretary

(1) In order to add to the Sequoia National Park (hereinafter in this section referred to as the ''park'') a certain area known as Mineral King Valley possessing unique natural and scenic values, there is hereby established as part of such park all lands, waters, and interests therein, constituting approximately sixteen thousand two hundred acres designated before November 10, 1978, as the Sequoia National Game Refuge and as depicted on the drawing entitled ''Boundary Map, Sequoia-Kings Canyon National Park'', numbered 102–90,000 and dated April 1975. A copy of such drawing shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior. After advising the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate in writing, the Secretary is authorized to make minor revisions of the boundaries of the park when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(2) The Sequoia National Game Refuge is hereby abolished and the Secretary of Agriculture shall transfer, without consideration, to the administrative jurisdiction of the Secretary, the area constituting such refuge, and any unexpended funds available for purposes of management of the refuge shall be available for purposes of management of the park.

(c) Acquisition of property; place and manner; owner's right of use and occupancy for fixed term of years or life; election of term; fair market value; termination; notification; incompatible commercial uses; unitary parcels; access road, right-of-way, and protective measures; hardship sale offers; limitation of authority; State donated lands; report to Congressional committees

(1) Within the boundaries of the area added to the park pursuant to this section, the Secretary may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or transfer from other Federal departments or agencies.

(2) Where the private use of any property acquired pursuant to this subsection would, in the judgment of the Secretary, be compatible with the purposes of this section, the Secretary may, as a condition of such acquisition, permit the owner or owners of such property to retain for themselves and their successors or assigns rights of use and occupancy. The owner shall reserve such rights and elect the term to be reserved on the date of acquisition of the property. Except for so much of the property as is donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner.

(3) A right of use and occupancy retained pursuant to paragraph (2) may be terminated by the Secretary upon his determination that the property or any portion thereof is being used in a manner which is incompatible with the purposes of this section. Such right shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired as of the date of such tender. In the case of any property which was used for noncommercial purposes during the ten calendar years immediately preceding November 10, 1978, the commercial use of such property subsequent to November 10, 1978, shall be treated as incompatible with the purposes of this section. In the case of any property which was used for commercial purposes at any time during the ten calendar years immediately preceding November 10, 1978, any substantial change or expansion of such commercial use subsequent to November 10, 1978, without the express approval of the Secretary shall be treated as incompatible with such purposes.