

Act of August 28, 1937 (50 Stat. 874; 43 U.S.C. 1181a–1181j), referred to in subsec. (a), probably means act Aug. 28, 1937, ch. 876, 50 Stat. 874, which was formerly classified principally to sections 1181a to 1181f of this title prior to editorial reclassification, and is now classified principally to subchapter I (§2601 et seq.) of chapter 44 of this title. Section 3 of the Act, former section 1181c of this title, was repealed by Pub. L. 94–579, title VII, §702, Oct. 21, 1976, 90 Stat. 2787. Sections 1181f–1 to 1181f–4 of this title, included within the parenthetical reference to sections 1181a to 1181j, were enacted by act May 24, 1939, ch. 144, 53 Stat. 753, and were editorially reclassified as subchapter II (§2621 et seq.) of chapter 44 of this title. Sections 1181g to 1181j of this title, also included within the parenthetical reference to sections 1181a to 1181j, were enacted by act June 24, 1954, ch. 357, 68 Stat. 270, and were editorially reclassified as subchapter III (§2631 et seq.) of chapter 44 of this title. For complete classification of these Acts to the Code, see Tables.

The National Environmental Policy Act of 1969, referred to in subsecs. (c)(2), (4) and (h), is Pub. L. 91–190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

The Public Rangelands Improvement Act of 1978, referred to in subsec. (d), is Pub. L. 95–514, Oct. 25, 1978, 92 Stat. 1803, which is classified principally to chapter 37 (§1901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of this title and Tables.

This Act, referred to in subsec. (j), is Pub. L. 94–579, Oct. 21, 1976, 90 Stat. 2743, known as the Federal Land Policy and Management Act of 1976. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2014—Subsec. (c). Pub. L. 113–291, §3023(1), designated existing provisions as par. (1) and inserted heading, substituted “During any period in which” for “So long as”, redesignated former pars. (1) to (3) as subpars. (A) to (C), respectively, and added pars. (2) to (4).

Subsecs. (h) to (j). Pub. L. 113–291, §3023(2), (3), added subsecs. (h) and (i) and redesignated former subsec. (h) as (j).

1978—Subsec. (a). Pub. L. 95–514, §7(b), substituted “sixteen contiguous Western States” for “eleven contiguous Western States”.

Subsec. (b)(3). Pub. L. 95–514, §7(a), inserted provision that absence of completed land use plans or court ordered environmental statements shall not be the sole basis for establishing a term shorter than ten years unless information therein would be necessary to determine whether a shorter term should be established for any of the specified reasons.

Subsec. (d). Pub. L. 95–514, §8(a), struck out “, with the exceptions authorized in subsection (e) of this section, on and after October 1, 1988,” after “pursuant to this section” and inserted provisions prohibiting any requirements for completion of court ordered environmental impact statements prior to development and incorporation of allotment plans from being superseded by subsec. (d), providing for careful and considered consultation, cooperation, and coordination with certain persons, including landowners involved, district grazing advisory boards and States having lands within the covered area and for tailoring allotment management plans to the specific range condition of the covered area and periodic review thereof, authorizing the Secretary to terminate or develop the plans after review and careful and considered consultation, cooperation, and coordination with the parties involved, and defining “court ordered environmental impact statement” and “range condition”.

Subsec. (e). Pub. L. 95–514, §8(b), substituted introductory word “In” for “Prior to October 1, 1988, or thereafter, in”.

GRAZING PERMIT RENEWALS

Pub. L. 108–108, title III, §325, Nov. 10, 2003, 117 Stat. 1308, provided in part: “That beginning in November 2004, and every year thereafter, the Secretaries of the Interior and Agriculture shall report to Congress the extent to which they are completing analysis required under applicable laws prior to the expiration of grazing permits, and beginning in May 2004, and every two years thereafter, the Secretaries shall provide Congress recommendations for legislative provisions necessary to ensure all permit renewals are completed in a timely manner. The legislative recommendations provided shall be consistent with the funding levels requested in the Secretaries’ budget proposals”.

APPEALS OF REDUCTIONS IN GRAZING ALLOTMENTS ON PUBLIC RANGELAND; TIME; EFFECTIVE DATE OF REDUCTIONS; SUSPENSION PENDING FINAL ACTION ON APPEAL

Provisions requiring appeals of reductions in grazing allotments on public rangelands to be taken within a certain time period; providing that reductions of up to 10 per centum in grazing allotments are effective when so designated by the Secretary; suspending proposed reductions in excess of 10 per centum pending final action on appeals; and requiring final action on appeals to be completed within 2 years of filing of the appeal were contained in the following appropriation acts:

Pub. L. 102–381, title I, Oct. 5, 1992, 106 Stat. 1378.
 Pub. L. 102–154, title I, Nov. 13, 1991, 105 Stat. 993.
 Pub. L. 101–512, title I, Nov. 5, 1990, 104 Stat. 1917.
 Pub. L. 101–121, title I, Oct. 23, 1989, 103 Stat. 704.
 Pub. L. 100–446, title I, Sept. 27, 1988, 102 Stat. 1776.
 Pub. L. 100–202, §101(g) [title I], Dec. 22, 1987, 101 Stat. 1329–213, 1329–216.
 Pub. L. 99–500, §101(h) [title I], Oct. 18, 1986, 100 Stat. 1783–242, 1783–245, and Pub. L. 99–591, §101(h) [title I], Oct. 30, 1986, 100 Stat. 3341–242, 3341–245.
 Pub. L. 99–190, §101(d) [title I], Dec. 19, 1985, 99 Stat. 1224, 1226.
 Pub. L. 98–473, title I, §101(c) [title I], Oct. 12, 1984, 98 Stat. 1837, 1840.
 Pub. L. 98–146, title I, Nov. 4, 1983, 97 Stat. 921.
 Pub. L. 97–394, title I, Dec. 30, 1982, 96 Stat. 1968.
 Pub. L. 97–100, title I, Dec. 23, 1981, 95 Stat. 1393.
 Pub. L. 96–514, title I, Dec. 12, 1980, 94 Stat. 2959.
 Pub. L. 96–126, title I, Nov. 27, 1979, 93 Stat. 956.

§ 1753. Omitted

CODIFICATION

Section, Pub. L. 94–579, title IV, §403, Oct. 21, 1976, 90 Stat. 2775; Pub. L. 95–514, §10, Oct. 25, 1978, 92 Stat. 1808, provided for the establishment and maintenance of grazing advisory boards and expired on Dec. 31, 1985.

SUBCHAPTER V—RIGHTS-OF-WAY

§ 1761. Grant, issue, or renewal of rights-of-way

(a) Authorized purposes

The Secretary, with respect to the public lands (including public lands, as defined in section 1702(e) of this title, which are reserved from entry pursuant to section 24 of the Federal Power Act (16 U.S.C. 818)) and, the Secretary of Agriculture, with respect to lands within the National Forest System (except in each case land designated as wilderness), are authorized to grant, issue, or renew rights-of-way over, upon, under, or through such lands for—

(1) reservoirs, canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other facilities and systems for the impoundment, storage, transportation, or distribution of water;

(2) pipelines and other systems for the transportation or distribution of liquids and gases,