

(4) General design criteria for new facilities or the improvement of existing facilities that are compatible with the rustic, natural, and historic character of the island and their topographic and geological location, and that do not impair scenic views from the Pictured Rocks National Lakeshore.

(5) Water transportation from the mainland to the national recreation area by a concessionaire or other entity.

(6) The feasibility of concessionaire constructed, operated, and maintained docking facilities in the national recreation area and on the mainland.

(7) An inventory and assessment of existing traditional roads, the level of road use, access needs, and any vehicular regulation and management needed to protect the resources of the national recreation area while, at the same time, providing reasonable access to private property.

**(c) Consultation**

In preparing the comprehensive management plan, the Secretary shall consult with the appropriate State and local government officials, provide for full public participation, and consider the views of all interested parties, organizations, and individuals.

(Pub. L. 101-292, §7, May 17, 1990, 104 Stat. 188.)

**§ 460aaa-7. Grand Island Advisory Commission**

**(a) Establishment**

Subject to appointments as provided in subsection (b), there is established a Grand Island Advisory Commission (hereafter in this subchapter referred to as the "Commission") comprised of 12 members for the purpose of advising the Secretary on the preparation of the management plan which is provided for in section 460aaa-6 of this title.

**(b) Appointment**

(1) Commission members shall be appointed by the Secretary as follows:

(A) Three non-voting members, who shall be employees of the Forest Service including the Forest Supervisor of the Hiawatha National Forest.

(B) One member who shall be a resident of Munising, Michigan, who is not a Forest Service employee.

(C) Two members who shall be recreational users of Grand Island who are not Forest Service employees.

(D) One member from nominations made by the Alger County Board of Commissioners who is a member of such board.

(E) One member from nominations made by the Alger County Economic Development Corporation who is a member of such corporation.

(F) One member from nominations made by the Grand Island Association who is a member of such association.

(G) One member from nominations made by the private landowners of Grand Island who is a private landowner on Grand Island.

(H) One member from nominations made by the Grand Island Township Board who is a member of such board.

(I) The Munising city manager, upon accepting the invitation of the Secretary.

(2) Any vacancy shall be filled in the same manner as the original appointment.

**(c) Quorum**

A quorum shall be six members. The operations of the Commission shall not be impaired by the fact that a member has not been appointed as long as a quorum has been attained.

**(d) Procedures**

The Commission shall elect a Chairman and establish such rules and procedures as it deems necessary or desirable.

**(e) Consultation**

The Secretary shall consult with the Commission on a periodic and regular basis with respect to the management plan.

**(f) Pay**

(1) Members of the Commission who are not full-time officers or employees of the United States shall serve without pay.

(2) Members of the Commission who are full-time officers or employees of the United States shall receive no additional pay by reason of their service on the Commission.

**(g) Proposals for non-Federal development on Federal land**

The Commission shall recommend proposals for non-Federal development on the 55 acres described in section 460aaa-6(b)(2) of this title. It shall submit any such proposals to the Secretary for approval, rejection, or revision. The Secretary shall include in the management plan a development proposal submitted by the Commission or arrived at by any other means available to the Secretary.

**(h) Termination**

The Commission shall cease to exist on the date upon which the management plan is adopted.

(Pub. L. 101-292, §8, May 17, 1990, 104 Stat. 189.)

**TERMINATION OF ADVISORY COMMISSIONS**

Advisory commissions established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a commission established by the President or an officer of the Federal Government, such commission is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a commission established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 460aaa-8. Authorization of appropriations**

**(a) Acquisition of lands**

There are hereby authorized to be appropriated an amount not to exceed \$5,000,000 for the acquisition of land, interests in land, or structures within the national recreation area and on the mainland as needed for access and administrative facilities.

**(b) Other purposes**

In addition to the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated not more than \$5,000,000 for development to carry out the other purposes of this subchapter.

(Pub. L. 101-292, §9, May 17, 1990, 104 Stat. 190.)

SUBCHAPTER CXIII—SMITH RIVER  
NATIONAL RECREATION AREA

**§ 460bbb. Findings**

The Congress finds that—

(1) the Smith River, undammed and free-flowing from its headwaters to the Pacific Ocean, represents one of the last wholly intact vestiges of an invaluable legacy of wild and scenic rivers;

(2) the Smith River watershed, from the diverse conifer forests of the Siskiyou Mountains and unique botanical communities of the North Fork serpentine to the ancient redwoods along the river's lower reaches, exhibits a richness of ecological diversity unusual in a basin of its size;

(3) the Smith River watershed's scenic beauty, renowned anadromous fisheries, exceptional water quality, and abundant wildlife combine with its ready accessibility to offer exceptional opportunities for a wide range of recreational activities, including wilderness, water sports, fishing, hunting, camping, and sightseeing;

(4) careful development and utilization at mutually compatible levels of recreation, fisheries, and timber resources on public lands will ensure the continuation of the Smith River watershed's historic role as a significant contributor to the region's local economy; and

(5) protection of the Smith River's unique values can be enhanced by a cooperative effort by Federal, State and local governments to coordinate land-use planning, management, and development of Federal and non-Federal lands throughout the watershed.

(Pub. L. 101-612, §2, Nov. 16, 1990, 104 Stat. 3209.)

SHORT TITLE

Pub. L. 101-612, §1, Nov. 16, 1990, 104 Stat. 3209, provided that: "Sections 1 through 14 of this Act [enacting this subchapter, amending section 1274 of this title, and enacting provisions set out as a note under section 460bbb-7 of this title] may be cited as the 'Smith River National Recreation Area Act'."

**§ 460bbb-1. Definitions**

As used in this subchapter—

(1) the term "excluded area" means one of the four areas specifically excluded from the recreation area, as generally depicted on the map referred to in section 460bbb-2(b) of this title;

(2) the term "forest plan" means the land and resource management plan for the Six Rivers National Forest prepared pursuant to section 1604 of this title;

(3) the term "recreation area" means the Smith River National Recreation Area established by section 460bbb-2 of this title;

(4) the term "Secretary" means the Secretary of Agriculture; and

(5) the term "inner gorge" means the inherently unstable steep slope (65 percent gradient or more) immediately adjacent to the stream or river channel, extending from the channel or recent floodplain to the first significant break in slope (usually 15 percent or more).

(Pub. L. 101-612, §3, Nov. 16, 1990, 104 Stat. 3209.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this Act", meaning Pub. L. 101-612, Nov. 16, 1990, 104 Stat. 3209, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460bbb of this title and Tables.

**§ 460bbb-2. Establishment****(a) In general**

For the purposes of ensuring the preservation, protection, enhancement, and interpretation for present and future generations of the Smith River watershed's outstanding wild and scenic rivers, ecological diversity, and recreation opportunities while providing for the wise use and sustained productivity of its natural resources, there is hereby established the Smith River National Recreation Area.

**(b) Boundaries**

(1) The recreation area shall consist of those lands within the area generally depicted on the map entitled "Proposed Smith River National Recreation Area" and dated July 1990. The map shall be on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture. The Secretary may, by publication of availability of a revised map and after public comment, make corrections or minor changes to the boundary of the recreation area.

(2) The exterior boundary of the recreation area, as generally depicted on the map, shall encompass the recreation area and the four excluded areas.

**(c) Boundary modification**

The boundaries of the Six Rivers National Forest are hereby modified as generally depicted on the map referred to in subsection (b). A map and legal description of the boundary of the Six Rivers National Forest as modified by this subsection shall be on file and available for public inspection in the Office of the Chief, Forest Service, and the Office of the Forest Supervisor of the Six Rivers National Forest.

**(d) Transfer**

The federally owned lands within the recreation area administered by the Secretary of the Interior on November 16, 1990, comprising approximately 20 acres, are hereby transferred to the jurisdiction of the Secretary of Agriculture and shall be managed in accordance with the laws applicable to the National Forest System and this subchapter.

(Pub. L. 101-612, §4, Nov. 16, 1990, 104 Stat. 3210.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (d), was in the original "this Act", meaning Pub. L. 101-612, Nov. 16, 1990, 104 Stat. 3209, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460bbb of this title and Tables.

**§ 460bbb-3. Administration****(a) In general**

The Secretary shall administer the recreation area in accordance with this subchapter and the