

this Act and the provisions of law generally applicable to units of the national park system, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4),¹ and the Act of August 7, 1946 (60 Stat. 885).¹ In the administration of such recreation area, the Secretary may utilize such statutory authority as may be available to him for the protection of natural and cultural resources as he deems necessary to carry out the purposes of this Act. Nothing in this Act shall be construed to amend or alter the responsibilities of the International Boundary and Water Commission, United States and Mexico, under any applicable treaty.

(b) Compliance with treaties and other commitments or agreements

The administration of the recreation area by the Secretary shall be subject to and in accordance with all applicable treaties, including the treaty between the United States and Mexico relating to the utilization of waters of the Colorado and Tijuana Rivers and the Rio Grande, entered into force November 8, 1945 (59 Stat. 1219,² and in accordance with sections 277d-13 to 277d-16 of title 22, and any commitment or agreement entered into pursuant to such treaty or sections, including (but not limited to) commitments or agreements relating to—

- (1) the demarcation and maintenance of boundaries;
- (2) the use, storage, and furnishing of water;
- (3) control of floods;
- (4) investigations relative to the operation of the Amistad Dam; and
- (5) the production of hydroelectric energy.

(c) Survey of cultural resources; report to Congress

The Secretary shall conduct a survey of the cultural resources in the immediate vicinity of the recreation area. The Secretary is authorized to enter into cooperative agreements with public or private entities, including landowners, for the purpose of conducting the survey required by this subsection. Not later than two years after November 28, 1990, the Secretary shall submit a report to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the results of the survey required by this subsection.

(d) Hunting and fishing

(1) The Secretary shall permit hunting and fishing on lands and waters under the Secretary's jurisdiction within the recreation area in accordance with applicable Federal and State law. The Secretary may designate zones where, and establish periods when, hunting or fishing will not be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment.

(2) Except in emergencies any regulations issued by the Secretary under this subsection shall be put into effect only after consultation

with the appropriate State agencies responsible for hunting and fishing activities.

(e) Rescue, firefighting, and law enforcement assistance

For purposes of administering the recreation area, the Secretary may enter into cooperative agreements with any Federal agency, the State of Texas, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement and fire preventive assistance.

(Pub. L. 101-628, title V, §506, Nov. 28, 1990, 104 Stat. 4494.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 101-628, Nov. 28, 1990, 104 Stat. 4469, which enacted this subchapter, subchapters CXV (§460ddd) and CXVI (§460eee et seq.) of this chapter, chapter 65 (§4601 et seq.) of this title, and former sections 1a-9 to 1a-13 of this title, amended section 410ee, former section 463, and sections 1274 and 1276 of this title, enacted provisions set out as notes under sections 1132 and 1271 of this title and section 1522 of Title 43, Public Lands, and formerly set out as notes under section 1a-5 of this title, and enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of this Act to the Code, see Tables.

The Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), referred to in subsec. (a), 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.

The Act of August 7, 1946 (60 Stat. 885), referred to in subsec. (a), is act Aug. 7, 1946, ch. 788, 60 Stat. 885, which enacted section 17j-2 of this title. Subsecs. (b) to (g), (i), and (j) of the Act were repealed and restated in section 103102 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272.

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

§ 460fff-2. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of sections 460fff and 460fff-1 of this title.

(Pub. L. 101-628, title V, §507, Nov. 28, 1990, 104 Stat. 4495.)

SUBCHAPTER CXVIII—ED JENKINS NATIONAL RECREATION AREA AND COOSA BALD NATIONAL SCENIC AREA

§ 460ggg. Wilderness

(a) Designation

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131-1136), the following lands

¹ See References in Text note below.

² So in original. Closing parenthesis probably should follow “1219”.

in the State of Georgia are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

(1) Certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately 7,800 acres, as generally depicted on a map entitled “Blood Mountain Wilderness—Proposed”, dated October 1991, and which shall be known as Blood Mountain Wilderness.

(2) Certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately 16,880 acres, as generally depicted on a map entitled “Chattahoochee Headwaters Wilderness—Proposed”, dated July 1991, and which shall be known as Mark Trail Wilderness.

(3) Certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately 1,160 acres, as generally depicted on a map entitled “Brasstown Wilderness Addition—Proposed”, dated July 1991, and which is hereby incorporated in and shall be part of the Brasstown Wilderness as designated by section 2(2) of the Georgia Wilderness Act of 1986 (100 Stat. 3129).

(b) Administration

Subject to valid existing rights, each wilderness area designated by this subchapter shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act [16 U.S.C. 1131 et seq.] governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to December 11, 1991.

(Pub. L. 102-217, §2, Dec. 11, 1991, 105 Stat. 1667.)

REFERENCES IN TEXT

The Wilderness Act, referred to in text, is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

Section 2(2) of the Georgia Wilderness Act of 1986, referred to in subsec. (a)(3), is section 2(2) of Pub. L. 99-555, Oct. 27, 1986, 100 Stat. 3129, which enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

The effective date of the Wilderness Act, referred to in subsec. (b), means Sept. 3, 1964, the date of enactment of Pub. L. 88-577, which enacted chapter 23 of this title.

SHORT TITLE

Pub. L. 102-217, §1, Dec. 11, 1991, 105 Stat. 1667, provided that: “This Act [enacting this subchapter] may be cited as the ‘Chattahoochee National Forest Protection Act of 1991.’”

SAVINGS PROVISION

Pub. L. 102-217, §6, Dec. 11, 1991, 105 Stat. 1670, provided that: “Privately held lands within the areas designated by this Act [enacting this subchapter] will not be administered as wilderness, a national scenic area, or a national recreation area, as appropriate, unless such lands are acquired by the Secretary.”

REDESIGNATION OF NATIONAL RECREATION AREA

Pub. L. 102-456, Oct. 23, 1992, 106 Stat. 2264, provided that:

“SECTION 1. REDESIGNATION.

“Springer Mountain National Recreation Area in the Chattahoochee National Forest, in the State of Geor-

gia, is hereby redesignated as ‘Ed Jenkins National Recreation Area’.

“SEC. 2. LEGAL REFERENCES.

“Any reference in any law, regulation, document, record, map, or other paper of the United States to Springer Mountain National Recreation Area is deemed to be a reference to Ed Jenkins National Recreation Area.”

§ 460ggg-1. National scenic area

(a) Designation and purposes

For the purposes of protecting and enhancing the natural beauty, special ecological features, watershed integrity, mature-forest habitat, scenic recreation opportunities and other distinctive values of certain lands in Georgia, the lands in the Chattahoochee National Forest, Georgia, which comprise approximately 7,100 acres, as generally depicted on a map entitled “Coosa Bald Scenic Area—Proposed”, dated July 1991, are designated as a national scenic area and shall be known as the Coosa Bald National Scenic Area (hereafter in this section referred to as the “scenic area”).

(b) Administration

(1) Subject to valid existing rights, the Secretary shall administer the scenic area in accordance with the laws, rules, and regulations applicable to the National Forest System in such a way as to further the purposes of this section.

(2) The Secretary may permit additional road construction in the scenic area in furtherance of the purposes for which the scenic area is established. Except as provided in this section, the Secretary may not conduct timber harvesting in the scenic area. The Secretary may remove timber in the scenic area in furtherance of this section, but only in a manner which does not impair the purposes for which the scenic area is established. Salvage or sanitation harvesting of timber stands which are substantially damaged by fire, windthrow or other catastrophe, or are in imminent danger from insect or disease attack, is authorized to maintain forest health. Timber harvesting is authorized to provide for visitor safety.

(3) By virtue of this designation alone, the Secretary need not change patterns of public access or closure on existing permanent national forest development roads. At his discretion, however, the Secretary may open or close such existing roads for public use for reasons of sound resource management.

(4) Nothing in this section shall prevent the completion of existing timber sales under contract.

(5) The scenic area is hereby withdrawn from the operation of all laws pertaining to mineral leasing.

(6) The Secretary may also permit, in his discretion, the continued maintenance of existing wildlife openings, in cooperation with the State of Georgia and other Federal, State, and private cooperators, and may permit new wildlife openings in furtherance of the purposes for which the scenic area is established.

(7) The Secretary shall protect, enhance, and promote the public’s opportunities for primitive and semiprimitive experiences in the scenic area.