

SUBCHAPTER LIX—KLONDIKE GOLD RUSH
NATIONAL HISTORICAL PARK

§ 410bb. Establishment

(a) **Composition and boundaries; relocation of Seattle unit**

In order to preserve in public ownership for the benefit and inspiration of the people of the United States, historic structures and trails associated with the Klondike Gold Rush of 1898, the Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to establish the Klondike Gold Rush National Historical Park (hereinafter referred to as the “park”), consisting of a Seattle unit, a Skagway unit, a Chilkoot Trail unit, and a White Pass Trail unit. The boundaries of the Skagway unit, the Chilkoot Trail unit, and the White Pass Trail unit shall be as generally depicted on a drawing consisting of two sheets entitled “Boundary Map, Klondike Gold Rush National Historical Park”, numbered 20,013-B and dated May, 1973, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Within the Pioneer Square Historic District in Seattle as depicted on a drawing entitled “Pioneer Square Historic District”, numbered 20,010-B and dated May 19, 1973, which shall also be on file and available as aforesaid, the Secretary may select a suitable site for the Seattle unit and publish a description of the site in the Federal Register. The Secretary may relocate the site of the Seattle unit by publication of a new description in the Federal Register, and any property acquired for purposes of the unit prior to such relocation shall be subject to disposal in accordance with the Federal surplus property laws: *Provided*, That the Seattle unit shall be within the Pioneer Square Historic District. After advising the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, in writing, the Secretary may revise the boundaries of the park from time to time, by publication of a revised map or other boundary description in the Federal Register, but the total area of the park may not exceed thirteen thousand three hundred acres.

(b) **Acquisition of land; administrative site**

(1) The Secretary may acquire lands, waters, and interests therein within the park by donation, purchase, lease, exchange, or transfer from another Federal agency. Lands or interests in lands owned by the State of Alaska or any political subdivision thereof may be acquired only by donation or exchange, and notwithstanding the provisions of subsection 6(i) of the Act of July 7, 1958 (72 Stat. 339, 342), commonly known as the Alaska Statehood Act, the State may include the minerals in any such transaction. Lands under the jurisdiction of any Federal agency may, with the concurrence of such agency, be transferred without consideration to the Secretary for the purposes of the park.

(2) The Secretary is authorized to acquire outside the boundaries of the park, by any of the above methods, not to exceed fifteen acres of land or interests therein located in, or in the vicinity of, the city of Skagway, Alaska, for an

administrative site; and to acquire by any of the above methods, up to ten historic structures or interests in such structures located in the city of Skagway but outside the Skagway unit for relocation within such unit as the Secretary deems essential for adequate preservation and interpretation of the park.

(c) **Easements; rights-of-way; permits**

All lands acquired pursuant to this subchapter shall be taken by the Secretary subject to all valid existing rights granted by the United States for railroad, telephone, telegraph, and pipeline purposes. The Secretary is authorized to grant rights-of-way, easements, permits, and other benefits in, through and upon all lands acquired for the White Pass Trail unit for pipeline purposes, pursuant to the Acts of February 25, 1920 (41 Stat. 449), August 21, 1935 (49 Stat. 678), and August 12, 1953 (67 Stat. 557), and for railroad purposes pursuant to the Act of May 14, 1898 (30 Stat. 409): *Provided*, That significant adverse impacts to park resources will not result.

(d) **Right-of-way for Alaskan highway across Chilkoot Trail**

The Secretary is authorized to grant to the State of Alaska a highway right-of-way across lands in the Chilkoot Trail unit, in the area of Dyea, for the purpose of linking the communities of Haines and Skagway by road if he finds that (1) there is no feasible and prudent alternative to the use of such lands, (2) the road proposal includes all possible planning to minimize harm to the park resulting from such road use, and (3) to grant such right-of-way will not have significant adverse effects on the historical and archeological resources of the park and its administration, protection, and management in accordance with the purposes of this subchapter.

(Pub. L. 94-323, §1, June 30, 1976, 90 Stat. 717; Pub. L. 96-487, title XIII, §1309, Dec. 2, 1980, 94 Stat. 2481; Pub. L. 103-437, §6(h)(1), Nov. 2, 1994, 108 Stat. 4585.)

REFERENCES IN TEXT

Subsection 6(i) of the act of July 7, 1958, commonly known as the Alaska Statehood Act, referred to in subsec. (b)(1), probably means subsection (i) of section 6 of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, as amended, which is set out as a note preceding section 21 of Title 48, Territories and Insular Possessions.

That portion of the act of February 25, 1920, which is set out at 41 Stat. 449, as referred to in subsec. (c), is classified to sections 185 to 187 of Title 30, Mineral Lands and Mining. For complete classification of the Act to the Code, see Tables.

That portion of the act of August 21, 1935, which is set out at 49 Stat. 678, as referred to in subsec. (c), is classified to section 185 of Title 30. For complete classification of the Act to the Code, see Tables.

That portion of the act of August 12, 1953, which is set out at 67 Stat. 557, as referred to in subsec. (c), is classified to section 185 of Title 30.

The act of May 14, 1898, referred to in subsec. (c), is act May 14, 1898, ch. 299, 30 Stat. 409, popularly known as the Alaska Right of Way Act, which is classified principally to sections 942-1 to 942-9 of Title 43, Public Lands. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-437 substituted “Committee on Energy and Natural Resources of the Senate

and the Committee on Natural Resources of the House of Representatives” for “Committees on Interior and Insular Affairs of the Congress of the United States”.

1980—Subsec. (b)(1). Pub. L. 96-487 inserted “or exchange and notwithstanding the provisions of subsection 6(i) of the Act of July 7, 1958, (72 Stat. 339, 342), commonly known as the Alaska Statehood Act, the State may include the minerals in any such transaction” after “only by donation”.

§ 410bb-1. Administration

(a) Establishment; notice in Federal Register

The Secretary shall establish the park by publication of a notice to that effect in the Federal Register at such time as he deems sufficient lands, waters, and interests therein have been acquired for administration in accordance with the purposes of this subchapter. Pending such establishment and thereafter, the Secretary shall administer lands, waters, and interests therein acquired for the park in accordance with the provisions of the Act approved August 25, 1916 (39 Stat. 535),¹ as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666),¹ as amended.

(b) Cooperation with Federal agencies, State and local public bodies, and private interests for development and use of lands

The Secretary is authorized to cooperate and enter into agreements with other Federal agencies, State and local public bodies, and private interests, relating to planning, development, use, acquisition, or disposal (including as provided in sections 100903 and 102901 of title 54) of lands, structures, and waters in or adjacent to the park or otherwise affecting the administration, use, and enjoyment thereof, in order to contribute to the development and management of such lands in a manner compatible with the purposes of the park. Such agreements, acquisitions, dispositions, development, or use and land-use plans shall provide for the preservation of historical sites and scenic areas, recreation, and visitor enjoyment to the fullest extent practicable.

(c) Restoration of property without regard of United States title thereto

Notwithstanding any other provision of law, the Secretary may restore and rehabilitate property within the park pursuant to cooperative agreements without regard as to whether title thereto is in the United States.

(Pub. L. 94-323, § 2, June 30, 1976, 90 Stat. 718.)

REFERENCES IN TEXT

The Act approved August 25, 1916 (39 Stat. 535), 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.

¹ See References in Text note below.

The Act approved August 21, 1935 (49 Stat. 666), referred to in subsec. (a), is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, 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.

CODIFICATION

In subsec. (b), “sections 100903 and 102901 of title 54” substituted for “section 5 of the Act of July 15, 1968, 82 Stat. 356; 16 U.S.C. 4601-22)” on authority of Pub. L. 113-287, § 6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

§ 410bb-2. Cooperation with Canada for planning and development of international park

(a) Presidential proclamation

The Secretary, in cooperation with the Secretary of State, is authorized to consult and cooperate with appropriate officials of the Government of Canada and Provincial or Territorial officials regarding planning and development of the park, and an international historical park. At such time as the Secretary shall advise the President of the United States that planning, development, and protection of the adjacent or related historic and scenic resources in Canada have been accomplished by the Government of Canada in a manner consistent with the purposes for which the park was established, and upon enactment of a provision similar to this section by the proper authority of the Canadian Government, the President is authorized to issue a proclamation designating and including the park as part of an international historical park to be known as Klondike Gold Rush International Historical Park.

(b) Retention of “National” designation for purpose of authorization

For purposes of administration, promotion, development, and support by appropriations, that part of the Klondike Gold Rush International Historical Park within the territory of the United States shall continue to be designated as the “Klondike Gold Rush National Historical Park”.

(Pub. L. 94-323, § 3, June 30, 1976, 90 Stat. 718.)

PROC. NO. 7114. DESIGNATING KLONDIKE GOLD RUSH INTERNATIONAL HISTORICAL PARK

Proc. No. 7114, Aug. 5, 1998, 63 F.R. 42563, provided:

A century ago, the Klondike Gold Rush began a migration that forever changed Alaska and the Yukon Territory. More than 100,000 people headed north during 1897 and 1898, catapulting a little-known region from obscurity to the center of the world stage. While the Klondike was not the first or largest western gold rush, coming nearly 50 years after the 1848 gold discovery at Sutter’s Mill, California, it is remembered for the sheer drama by which it was announced to the world and for its century-long influence on Alaska and the upper Yukon River basin.

The United States and Canada have been engaged for 30 years in joint planning and cooperation to commemorate the Klondike Gold Rush and preserve his-