

§ 460d-1. Rentals or other considerations in leases for construction, maintenance, and operation of commercial recreational facilities; adjustment by Chief of Engineers

The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to amend any lease entered into providing for the construction, maintenance, and operation of commercial recreational facilities at a water resource development project under the jurisdiction of the Secretary of the Army so as to provide for the adjustment, either by increase or decrease, from time to time during the term of such lease of the amount of rental or other consideration payable to the United States under such lease, when and to the extent he determines such adjustment or extension to be necessary or advisable in the public interest. No adjustment shall be made under the authority of this section so as to increase or decrease the amount of rental or other consideration payable under such lease for any period prior to the date of such adjustment.

(Pub. L. 87-236, Sept. 14, 1961, 75 Stat. 509; Pub. L. 89-298, title II, §215, Oct. 27, 1965, 79 Stat. 1088.)

AMENDMENTS

1965—Pub. L. 89-298 struck out “before November 1, 1956” after “lease entered into”.

§ 460d-2. Adjustment by Secretary of Agriculture

The Secretary of Agriculture is authorized to amend any lease entered into with respect to lands under the jurisdiction of the Forest Service providing for the construction, maintenance, and operation of commercial recreational facilities at a Federal reservoir project so as to provide for the adjustment, either by increase or decrease, from time to time during the term of such lease of the amount of rental or other consideration payable to the United States under such lease, when and to the extent he determines such adjustment to be necessary or advisable in the public interest. No adjustment shall be made under the authority of this section so as to increase or decrease the amount of rental or other consideration payable under such lease for any period prior to the date of such adjustment.

(Pub. L. 87-411, Mar. 3, 1962, 76 Stat. 20.)

§ 460d-3. Recreational user fees

(a) Prohibition on admissions fees

No entrance or admission fees shall be collected after March 31, 1970, by any officer or employee of the United States at public recreation areas located at lakes and reservoirs under the jurisdiction of the Corps of Engineers, United States Army.

(b) Fees for use of developed recreation sites and facilities

(1) Establishment and collection

Notwithstanding section 460l-6a(b)¹ of this title, the Secretary of the Army is authorized, subject to paragraphs (2) and (3), to establish

¹ See References in Text note below.

and collect fees for the use of developed recreation sites and facilities, including campsites, swimming beaches, and boat launching ramps but excluding a site or facility which includes only a boat launch ramp and a courtesy dock.

(2) Exemption of certain facilities

The Secretary shall not establish or collect fees under this subsection for the use or provision of drinking water, wayside exhibits, roads, scenic drives, overlook sites, picnic tables, toilet facilities, surface water areas, undeveloped or lightly developed shoreland, or general visitor information.

(3) Per vehicle limit

The fee under this subsection for use of a site or facility (other than an overnight camping site or facility or any other site or facility at which a fee is charged for use of the site or facility as of August 10, 1993) for persons entering the site or facility by private, noncommercial vehicle transporting not more than 8 persons (including the driver) shall not exceed \$3 per day per vehicle. Such maximum amount may be adjusted annually by the Secretary for changes in the Consumer Price Index of All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(4) Deposit into Treasury account

All fees collected under this subsection shall be deposited into the Treasury account for the Corps of Engineers established by section 460l-6a(i)¹ of this title and, subject to the availability of appropriations, shall be used for the purposes specified in section 460l-6a(i)(3)¹ of this title at the water resources development project at which the fees were collected.

(Pub. L. 90-483, title II, §210, Aug. 13, 1968, 82 Stat. 746; Pub. L. 103-66, title V, §5001(a), Aug. 10, 1993, 107 Stat. 378; Pub. L. 104-303, title II, §208(b)(1), Oct. 12, 1996, 110 Stat. 3680.)

REFERENCES IN TEXT

Subsections (b) and (i) of section 460l-6a of this title, referred to in subsec. (b)(1), (4), were repealed, except for par. (1)(C) of subsec. (i), by Pub. L. 108-447, div. J, title VIII, §813(a), Dec. 8, 2004, 118 Stat. 3390, as amended by Pub. L. 109-54, title I, §132(a), Aug. 2, 2005, 119 Stat. 526. Subsec. (i)(1)(C) of section 460l-6a of this title was repealed and restated as section 100904(a) of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272.

AMENDMENTS

1996—Subsec. (b)(4). Pub. L. 104-303 inserted before period at end “and, subject to the availability of appropriations, shall be used for the purposes specified in section 460l-6a(i)(3) of this title at the water resources development project at which the fees were collected”.

1993—Pub. L. 103-66 inserted section catchline, struck out second sentence, designated remaining text as subsec. (a) and inserted heading, and added subsec. (b). Prior to amendment, second sentence read as follows: “User fees at these lakes and reservoirs shall be collected by officers and employees of the United States only from users of highly developed facilities requiring continuous presence of personnel for maintenance and supervision of the facilities, and shall not be collected for access to or use of water areas, undeveloped or lightly developed shoreland, picnic grounds, overlook sites, scenic drives, or boat launching ramps where no mechanical or hydraulic equipment is provided.”