

is authorized to permit the utilization of those areas formerly within the Lake Mead National Recreation Area immediately prior to January 3, 1975, and added to the park by sections 228a to 228j of this title, which may be necessary for the development and maintenance of a Government reclamation project.

(Feb. 26, 1919, ch. 44, §7, 40 Stat. 1178; Pub. L. 93-620, §9(b), Jan. 3, 1975, 88 Stat. 2091.)

AMENDMENTS

1975—Pub. L. 93-620 substituted provisions authorizing utilization of areas formerly within Lake Mead National Recreation Area and added to the Grand Canyon National Park by sections 228a to 228j of this title, for provisions authorizing utilization of areas within the Park.

§ 228. Buildings on privately owned lands

Where privately owned lands within the said park lie within three hundred feet of the rim of the Grand Canyon no building, tent, fence, or other structure shall be erected on the park lands lying between said privately owned lands and the rim.

(Feb. 26, 1919, ch. 44, §8, 40 Stat. 1178.)

§ 228a. Enlargement of boundaries; statement of purpose

It is the object of sections 228a to 228j of this title to provide for the recognition by Congress that the entire Grand Canyon, from the mouth of the Paria River to the Grand Wash Cliffs, including tributary side canyons and surrounding plateaus, is a natural feature of national and international significance. Congress therefore recognizes the need for, and in sections 228a to 228j of this title provides for, the further protection and interpretation of the Grand Canyon in accordance with its true significance.

(Pub. L. 93-620, §2, Jan. 3, 1975, 88 Stat. 2089.)

SHORT TITLE

For short title of sections 228a to 228j of this title as the "Grand Canyon National Park Enlargement Act", see Short Title note set out under section 221 of this title.

§ 228b. Composition of park

(a) Additional lands, waters, and interests therein

In order to add to the Grand Canyon National Park certain prime portions of the canyon area possessing unique natural, scientific, and scenic values, the Grand Canyon National Park shall comprise, subject to any valid existing rights under the Navajo Boundary Act of 1934, all those lands, waters, and interests therein, constituting approximately one million two hundred thousand acres, located within the boundaries as depicted on the drawing entitled "Boundary Map, Grand Canyon National Park," numbered 113-20, 021 B and dated December 1974, a copy of which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(b) Abolition of Grand Canyon and Marble Canyon National Monuments

For purposes of sections 228a to 228j of this title, the Grand Canyon National Monument and

the Marble Canyon National Monument are abolished.

(c) Study and report to Congress of suitability of lands included within enlarged boundaries; submission date

The Secretary of the Interior shall study the lands within the former boundaries of the Grand Canyon National Monument commonly known as the Tuckup Point, Slide Mountain, and Jensen Tank areas to determine whether any portion of these lands might be unsuitable for park purposes and whether in his judgment the public interest might be better served if they were deleted from the Grand Canyon National Park. The Secretary shall report his findings and recommendations to the Congress no later than one year from January 3, 1975.

(Pub. L. 93-620, §3, Jan. 3, 1975, 88 Stat. 2090.)

REFERENCES IN TEXT

The Navajo Boundary Act of 1934, referred to in subsec. (a), is act June 14, 1934, ch. 521, 48 Stat. 960, which was not classified to the Code.

§ 228c. Acquisition of lands within enlarged boundaries by donation, purchase, or exchange; transfer of jurisdiction over Federal lands

(a) Within the boundaries of the Grand Canyon National Park, as enlarged by sections 228a to 228j of this title, the Secretary of the Interior (hereinafter referred to as the "Secretary") may acquire land and interest in land by donation, purchase with donated or appropriated funds, or exchange.

(b) Federal lands within the boundaries of such park are hereby transferred to the jurisdiction of the Secretary for the purposes of sections 228a to 228j of this title.

(Pub. L. 93-620, §4, Jan. 3, 1975, 88 Stat. 2090.)

§ 228d. Acquisition of State of Arizona or local lands by donation or exchange; approval for transfer to United States of Indian trust lands

Notwithstanding any other provision of sections 228a to 228j of this title (1) land or interest in land owned by the State of Arizona or any political subdivision thereof may be acquired by the Secretary under sections 228a to 228j of this title only by donation or exchange and (2) no land or interest in land, which is held in trust for any Indian tribe or nation, may be transferred to the United States under sections 228a to 228j of this title or for purposes of sections 228a to 228j of this title except after approval by the governing body of the respective Indian tribe or nation.

(Pub. L. 93-620, §5, Jan. 3, 1975, 88 Stat. 2090.)

§ 228e. Cooperative agreements for protection and unified interpretation of enlarged park; scope of agreements

In the administration of the Grand Canyon National Park, as enlarged by sections 228a to 228j of this title, the Secretary is authorized and encouraged to enter into cooperative agreements with other Federal, State, and local pub-

lic departments and agencies and with interested Indian tribes providing for the protection and interpretation of the Grand Canyon in its entirety. Such agreements shall include, but not be limited to, authority for the Secretary to develop and operate interpretative facilities and programs on lands and waters outside of the boundaries of such park, with the concurrence of the owner or administrator thereof, to the end that there will be a unified interpretation of the entire Grand Canyon.

(Pub. L. 93-620, § 6, Jan. 3, 1975, 88 Stat. 2090.)

§ 228f. Preservation and renewal of existing grazing rights within enlarged boundaries; term of renewal

Where any Federal lands within the Grand Canyon National Park, as enlarged by sections 228a to 228j of this title, are legally occupied or utilized on January 3, 1975, for grazing purposes, pursuant to a Federal lease, permit, or license, the Secretary shall permit the persons holding such grazing privileges to continue in the exercise thereof during the term of the lease, permit, or license, and periods of renewal thereafter: *Provided*, That no such renewals shall be extended beyond the period ending ten years from January 3, 1975, except that any present lease, permit, or license within the boundaries of the Grand Canyon National Monument as abolished by section 228b(b) of this title may be renewed during the life of the present holder which renewals shall terminate upon the death of the present holder.

(Pub. L. 93-620, § 7, Jan. 3, 1975, 88 Stat. 2091.)

§ 228g. Aircraft or helicopter regulation within enlarged boundaries; procedure for promulgation of administrative rules and regulations

Whenever the Secretary has reason to believe that any aircraft or helicopter activity or operation may be occurring or about to occur within the Grand Canyon National Park, as enlarged by sections 228a to 228j of this title, including the airspace below the rims of the canyon, which is likely to cause an injury to the health, welfare, or safety of visitors to the park or to cause a significant adverse effect on the natural quiet and experience of the park, the Secretary shall submit to the Federal Aviation Administration, the Environmental Protection Agency pursuant to the Noise Control Act of 1972 [42 U.S.C. 4901 et seq.], or any other responsible agency or agencies such complaints, information, or recommendations for rules and regulations or other actions as he believes appropriate to protect the public health, welfare, and safety or the natural environment within the park. After reviewing the submission of the Secretary, the responsible agency shall consider the matter, and after consultation with the Secretary, shall take appropriate action to protect the park and visitors.

(Pub. L. 93-620, § 8, Jan. 3, 1975, 88 Stat. 2091.)

REFERENCES IN TEXT

The Noise Control Act of 1972, referred to in text, is Pub. L. 92-574, Oct. 27, 1972, 86 Stat. 1234, as amended, which is classified generally to chapter 65 (§ 4901 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 4901 of Title 42 and Tables.

TRANSFER OF FUNCTIONS

“Federal Aviation Administration” substituted in text for “Federal Aviation Agency” pursuant to Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 931, which transferred functions, powers, and duties of Federal Aviation Agency and of Administrator and other offices and officers thereof to Secretary of Transportation and established Federal Aviation Administration in Department of Transportation. See section 106 of Title 49, Transportation.

§ 228h. Construction with existing Colorado River system reclamation provisions

Nothing in sections 228a to 228j of this title shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of sections 1551 to 1556 of title 43.

(Pub. L. 93-620, § 9(a), Jan. 3, 1975, 88 Stat. 2091.)

§ 228i. Havasupai Indian Reservation

(a) Lands of Havasupai Reservation Addition held in trust by United States; boundaries

For the purpose of enabling the tribe of Indians known as the Havasupai Indians of Arizona (hereinafter referred to as the “tribe”) to improve the social, cultural, and economic life of its members, the lands generally depicted as the “Havasupai Reservation Addition” on the map described in section 228b of this title, and consisting of approximately one hundred and eighty-five thousand acres of land and any improvements thereon, are hereby declared to be held by the United States in trust for the Havasupai Tribe. Such map, which shall delineate a boundary line generally one-fourth of a mile from the rim of the outer gorge of the Grand Canyon of the Colorado River and shall traverse Havasu Creek from a point on the rim at Yumtheska Point to Beaver Falls to a point on the rim at Ukwalla Point, shall be on file and available for public inspection in the Offices of the Secretary, Department of the Interior, Washington, District of Columbia.

(b) Lands held in trust by United States included within Reservation; administration pursuant to laws and regulations applicable to other trust Indian lands; specific administrative criteria and restrictions

The lands held in trust pursuant to this section shall be included in the Havasupai Reservation, and shall be administered under the laws and regulations applicable to other trust Indian lands: *Provided*, That—

(1) the lands may be used for traditional purposes, including religious purposes and the gathering of, or hunting for, wild or native foods, materials for paints and medicines;

(2) the lands shall be available for use by the Havasupai Tribe for agricultural and grazing purposes, subject to the ability of such lands to sustain such use as determined by the Secretary;

(3) any areas historically used as burial grounds may continue to be so used;

(4) a study shall be made by the Secretary, in consultation with the Havasupai Tribal