

(d) Time of transfer

Actual transfer of lands and management responsibilities under this section shall not occur on the constructed portions of the project lying between the Atlantic Ocean and the Eureka Lock and Dam, inclusive, and between the Gulf of Mexico and the Inglis Lock and Dam, inclusive, until the last day of the 24-month period beginning on November 28, 1990.

(e) Management pending transfer

In the 24-month period following November 28, 1990, the Secretary shall carry out any and all programmed maintenance on the portions of the project outlined in subsection (d).

(f) Contract for continued O&M**(1) In general**

During the period beginning on November 28, 1992, and ending on September 30, 1993, the Secretary is authorized and directed to offer to enter into a contract with the St. Johns River Water Management District and the Southwest Florida Water Management District of the State of Florida for the continued operation and maintenance by the Secretary of the portions of the project described in subsection (d). The maintenance shall be performed at a level of service that is necessary to ensure safe operating conditions and to prevent deterioration of the structures. No major rehabilitations or renovations shall be performed by the Secretary in such portions of the project during such period.

(2) Funding

Funding for the continued operation and maintenance of the barge canal project by the Secretary under this subsection shall not exceed \$300,000. The State of Florida shall pay a non-Federal share of \$600,000 to fund the continued maintenance of the portions of the project described in subsection (d) in accordance with paragraph (1).

(g) Survey

The exact acreage and legal description of the real property to be transferred pursuant to this section shall be determined by a survey which is satisfactory to the Secretary and to the State. The cost of such survey shall be borne by the State.

(Pub. L. 99-662, title XI, § 1114, Nov. 17, 1986, 100 Stat. 4232; Pub. L. 101-640, title IV, § 402, Nov. 28, 1990, 104 Stat. 4644; Pub. L. 102-580, title I, § 102(e), Oct. 31, 1992, 106 Stat. 4805.)

Editorial Notes

REFERENCES IN TEXT

Act of July 23, 1942, referred to in subsec. (a), is act July 23, 1942, ch. 520, 56 Stat. 703, as amended. See National Defense Pipe Lines note set out preceding section 715 of Title 15, Commerce and Trade.

AMENDMENTS

1992—Subsecs. (f), (g). Pub. L. 102-580 added subsec. (f) and redesignated former subsec. (f) as (g).

1990—Pub. L. 101-640 amended section generally. Prior to amendment, section consisted of subsecs. (a) to (i) which established the Cross Florida National Conservation Area, designated to it lands held for high-level

barge canal project, required that certain portions of the barge canal project be operated and maintained for navigation, recreation, and fish and wildlife enhancement and for economic benefit of the region, provided for State of Florida to retain jurisdiction and responsibility over water resources planning, development, and control of surface and ground waters, required the Secretary to develop comprehensive management plan, directed operation of Rodman Dam to assure continuation of Lake Ocklawaha reservoir, required acquisition of lands held by Florida Canal Authority for barge canal project and lands held by State of Florida or Canal Authority which were acquired pursuant to section 104 of the River and Harbor Act of 1960, and set forth conditions for effectiveness of certain provisions.

SUBCHAPTER CVI—EL MALPAIS NATIONAL MONUMENT AND CONSERVATION AREA

PART A—EL MALPAIS NATIONAL MONUMENT

§ 460uu. Establishment; description of area

(a) In order to preserve, for the benefit and enjoyment of present and future generations, that area in western New Mexico containing the nationally significant Grants Lava Flow, the Las Ventanas Chacoan Archeological Site, and other significant natural and cultural resources, there is hereby established the El Malpais National Monument (hereinafter referred to as the “monument”). The monument shall consist of approximately 114,000 acres as generally depicted on the map entitled “El Malpais National Monument and National Conservation Area” numbered NM-ELMA-80,001-B and dated May 1987. The map shall be on file and available for public inspection in the offices of the Director of the National Park Service, Department of the Interior.

(b) As soon as practicable after December 31, 1987, the Secretary of the Interior (hereinafter referred to as the “Secretary”) shall file a legal description of the monument with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such legal description shall have the same force and effect as if included in this subchapter, except that the Secretary may correct clerical and typographical errors in such legal description and in the map referred to in subsection (a). The legal description shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(Pub. L. 100-225, title I, § 101, Dec. 31, 1987, 101 Stat. 1539.)

Statutory Notes and Related Subsidiaries

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.

§ 460uu-1. Transfer of administrative control of lands and waters

Lands and waters and interests therein within the boundaries of the monument, which as of the day prior to December 31, 1987, were administered by the Forest Service, United States De-

partment of Agriculture, are hereby transferred to the administrative jurisdiction of the Secretary to be managed as part of the monument in accordance with this subchapter. The boundaries of the Cibola National Forest shall be adjusted accordingly.

(Pub. L. 100-225, title I, §102, Dec. 31, 1987, 101 Stat. 1539.)

§ 460uu-2. Management

The Secretary, acting through the Director of the National Park Service, shall manage the monument in accordance with the provisions of this subchapter, the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.),¹ and other provisions of law applicable to units of the National Park System. The Secretary shall protect, manage, and administer the monument for the purposes of preserving the scenery and the natural, historic, and cultural resources of the monument and providing for the public understanding and enjoyment of the same in such a manner as to perpetuate these qualities for future generations.

(Pub. L. 100-225, title I, §103, Dec. 31, 1987, 101 Stat. 1539.)

Editorial Notes

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), referred to in text, 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.

§ 460uu-3. Grazing permits

Where any lands included within the boundary of the monument on the map referred to in subsection¹ 460uu(a) of this title are legally occupied or utilized on December 31, 1987, for grazing purposes, pursuant to a lease, permit, or license which is—

(a) for a fixed term of years issued or authorized by any department, establishment, or agency of the United States, and

(b) scheduled for termination before December 31, 1997,

the Secretary, notwithstanding any other provision of law, shall allow the persons holding such grazing privileges (or their heirs) to retain such grazing privileges until December 31, 1997, subject to such limitations, conditions, or regulations as the Secretary may prescribe to insure proper range management. No grazing shall be permitted on lands within the boundaries of the monument on or after January 1, 1998.

(Pub. L. 100-225, title I, §104, Dec. 31, 1987, 101 Stat. 1540.)

¹ See References in Text note below.

¹ So in original. Probably should be "section".

PART B—MASAU TRAIL

§ 460uu-11. Designation

In order to provide for public appreciation, education, understanding, and enjoyment of certain nationally significant sites of antiquity in New Mexico and eastern Arizona which are accessible by public road,¹ the Secretary, acting through the Director of the National Park Service, with the concurrence of the agency having jurisdiction over such roads, is authorized to designate, by publication of a description thereof in the Federal Register, a vehicular tour route along existing public roads linking prehistoric and historic cultural sites in New Mexico and eastern Arizona. Such a route shall be known as the Masau Trail (hereinafter referred to as the "trail").

(Pub. L. 100-225, title II, §201, Dec. 31, 1987, 101 Stat. 1540.)

§ 460uu-12. Areas included

The trail shall include public roads linking El Malpais National Monument as established pursuant to part A of this subchapter, El Morro National Monument, Chaco Cultural National Historical Park, Aztec Ruins National Monument, Canyon De Chelly National Monument, Pecos National Monument, Gila Cliff Dwellings National Monument, Zuni-Cibola National Historical Park, and Petroglyph National Monument. The Secretary may, in the manner set forth in section 460uu-11 of this title, designate additional segments of the trail from time to time as appropriate to link the foregoing sites with other cultural sites or sites of national significance when such sites are designated and protected by Federal, State, or local governments, Indian tribes, or nonprofit entities.

(Pub. L. 100-225, title II, §202, Dec. 31, 1987, 101 Stat. 1540; Pub. L. 100-567, §10, Oct. 31, 1988, 102 Stat. 2852; Pub. L. 101-313, title III, §301, June 27, 1990, 104 Stat. 279.)

Editorial Notes

AMENDMENTS

1990—Pub. L. 101-313 inserted reference to Petroglyph National Monument.

1988—Pub. L. 100-567, which directed substitution of "Gila Cliff Dwellings National Monument, and Zuni-Cibola National Historical Park" for "and Gila Cliff Dwelling National Monument" was executed by making substitution for "and Gila Cliff Dwellings National Monument" as the probable intent of Congress.

§ 460uu-13. Information and interpretation

With respect to sites linked by segments of the trail which are administered by other Federal, State, local, tribal, or nonprofit entities, the Secretary may, pursuant to cooperative agreements with such entities, provide technical assistance in the development of interpretive devices and materials in order to contribute to public appreciation of the natural and cultural resources of the sites along the trail. The Secretary, in cooperation with State and local governments, Indian tribes, and nonprofit entities,

¹ So in original. Probably should be "roads,".