

he deems appropriate to insure the continued conservation and preservation of the environmental quality of the lakeshore.

**(e) Acquisition of interests in lands designated as category III; limitations**

Except as provided in subsection (f) of this section, the Secretary may, after the publication provided for in subsection (c), acquire only such interests in lands designated as category III, other than those lands to be acquired in fee simple, as he deems appropriate to protect lands designated for acquisition.

**(f) Restrictions on use and development of real property in categories II and III; notification of owners by Secretary of minimum restrictions on use and development for retention of property; compliance with restrictions as barring acquisition by Secretary; applicability to owners not notified by Secretary; acquisition from owners not agreeing to use of property in accordance with notice; acquisition of fee simple title**

Not later than one hundred and fifty days after October 21, 1970, the Secretary shall notify owners of real property in categories II and III, other than property designated by him for fee acquisition, of the minimum restrictions on use and development of such property under which such property can be retained in a manner compatible with the purpose for which the lakeshore was established. If the owner of any real property in categories II and III agrees to the use and development of his property in accordance with such restrictions, the Secretary may not acquire, without the consent of such owner, such property or interests therein for so long as the property affected is used in accordance with such restrictions, unless he determines that such property is needed for public use development. The foregoing limitations on acquisition shall also apply to any owners of real property to whom the Secretary did not, within the time set forth, give such a notice, except that if any property owner has not, within ninety days of the notice agreed to use the property in accordance with the notice, then the Secretary may acquire, without limitation, fee or lesser interests in property by any of the methods set forth in section 460x-7 of this title: *Provided*, That nothing contained in subsections (d) and (e), and in this subsection, which limits the acquisition of the fee simple title to property within the lakeshore, shall prevent the Secretary from acquiring, without the consent of the owner, the fee simple title whenever in the Secretary's judgment the estimated cost of acquiring the lesser interest would be a substantial percentage of the estimated cost of acquiring the fee simple title.

(Pub. L. 91-479, § 3, Oct. 21, 1970, 84 Stat. 1075.)

**§ 460x-3. Sleeping Bear Dunes National Lakeshore Advisory Commission**

**(a) Establishment; termination**

There is hereby established a Sleeping Bear Dunes National Lakeshore Advisory Commission. The Commission shall cease to exist twenty years after the establishment of the lakeshore pursuant to section 460x-1 of this title.

**(b) Membership; appointment; term of office; recommendation or designation of appointees**

The Commission shall be composed of ten members, each appointed for a term of two years by the Secretary, as follows:

(1) Four members to be appointed from recommendations made by the counties in which the lakeshore is situated, two members to represent each such county;

(2) Four members to be appointed from recommendations made by the Governor of the State of Michigan; and

(3) Two members to be designated by the Secretary.

**(c) Chairman; vacancies**

The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

**(d) Compensation and expenses; vouchers**

A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this subchapter on vouchers signed by the Chairman.

**(e) Consultation of Secretary with Commission**

The Secretary or his designee shall consult with the Commission with respect to—

(1) matters relating to the development of the lakeshore and with respect to the provisions of sections 460x-8, 460x-11, and 460x-12 of this title; and

(2) matters relating to the implementation of the General Management Plan provided for in section 460x-5(b) of this title.

(Pub. L. 91-479, § 4, Oct. 21, 1970, 84 Stat. 1076; Pub. L. 100-558, Oct. 28, 1988, 102 Stat. 2796.)

**Editorial Notes**

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-558, § 1(1), substituted “twenty” for “ten”.

Subsec. (e). Pub. L. 100-558, § 1(2), amended subsec. (e) generally, designating existing provisions as par. (1) and adding par. (2).

**§ 460x-4. Hunting and fishing; issuance of regulations**

In administering the lakeshore the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the laws of the State of Michigan and the United States applicable thereto. The Secretary, after consultation with the appropriate agency of the State of Michigan, may designate zones and establish periods where and when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment and issue regulations, consistent with this section, as he may determine necessary to carry out the purposes of this section.

(Pub. L. 91-479, § 5, Oct. 21, 1970, 84 Stat. 1076.)