16 USC 410bb: Establishment
Text contains those laws in effect on February 28, 2018

From Title 16-CONSERVATION
CHAPTER 1-NATIONAL PARKS, MILITARY PARKS, MONUMENTS, AND SEASHORES
SUBCHAPTER LIX-**KLONDIKE** GOLD RUSH NATIONAL HISTORICAL PARK

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§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".