

**43 USC 2601: Conservation management by Department of the Interior; permanent forest production; sale of timber; subdivision**

Text contains those laws in effect on April 20, 2023

**From Title 43-PUBLIC LANDS**

CHAPTER 44-OREGON AND CALIFORNIA RAILROAD AND COOS BAY WAGON ROAD GRANT LANDS

SUBCHAPTER I-ADMINISTRATION

**Jump To:**

[Source Credit](#)

[Miscellaneous](#)

[References In Text](#)

[Codification](#)

## **§2601. Conservation management by Department of the Interior; permanent forest production; sale of timber; subdivision**

Notwithstanding any provisions in the Acts of June 9, 1916 (39 Stat. 218), and February 26, 1919 (40 Stat. 1179), as amended, such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 <sup>1</sup> hereof, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal <sup>2</sup> of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities: <sup>3</sup> *Provided*, That nothing in this section shall be construed to interfere with the use and development of power sites as may be authorized by law.

The annual productive capacity for such lands shall be determined and declared as promptly as possible after August 28, 1937, but until such determination and declaration are made the average annual cut therefrom shall not exceed one-half billion feet board measure: *Provided*, That timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained yield capacity when the same has been determined and declared, shall be sold annually, or so much thereof as can be sold at reasonable prices on a normal market.

If the Secretary of the Interior determines that such action will facilitate sustained-yield management, he may subdivide such revested lands into sustained-yield forest units, the boundary lines of which shall be so established that a forest unit will provide, insofar as practicable, a permanent source of raw materials for the support of dependent communities and local industries of the region; but until such subdivision is made the land shall be treated as a single unit in applying the principle of sustained yield: *Provided*, That before the boundary lines of such forest units are established, the Department, after published notice thereof, shall hold a hearing thereon in the vicinity of such lands open to the attendance of State and local officers, representatives of dependent industries, residents, and other persons interested in the use of such lands. Due consideration shall be given to established lumbering operations in subdividing such lands when necessary to protect the economic stability of dependent communities. Timber sales from a forest unit shall be limited to the productive capacity of such unit and the Secretary is authorized, in his discretion, to reject any bids which may interfere with the sustained-yield management plan of any unit.

(Aug. 28, 1937, ch. 876, title I, §1, 50 Stat. 874 .)

### **EDITORIAL NOTES**

### **REFERENCES IN TEXT**

Section 3, referred to in first par., is section 3 of act [Aug. 28, 1937, ch. 876, title I](#), 50 Stat. 875 , which was classified to section 1181c of this title prior to repeal by Pub. L. 94-579, [title VII, §702, Oct. 21, 1976](#), 90 Stat. 2787 .

Acts of June 9, 1916, and February 26, 1919, referred to in text, are acts [June 9, 1916, ch. 137](#), 39 Stat. 218 and [Feb. 26, 1919, ch. 47](#), 40 Stat. 1179 , respectively, which are not classified to the Code.

### **CODIFICATION**

Section was formerly classified to section 1181a of this title prior to editorial reclassification and renumbering as this section.

## REPEALS

Act Aug. 28, 1937, ch. 876, title II (last par.), 50 Stat. 876 , provided: "All Acts or parts of Acts in conflict with this Act [enacting this subchapter and former section 1181c of this title] are hereby repealed to the extent necessary to give full force and effect to this Act."

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. Probably should be "principle".

<sup>3</sup> So in original. Probably should be "facilities:".