

§ 5500.0-5

timber and other vegetative resources on public lands of the United States including lands embraced within an unpatented mining claim located after July 23, 1955, if the disposal of such resources is not otherwise expressly authorized by law including, but not limited to, the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315 through 315o-1), as amended, and the United States mining laws; is not expressly prohibited by laws of the United States; and would not be detrimental to the public interest.

(1) The Act also authorizes the United States, its permittees, and licensees to use so much of the surface of any unpatented mining claim located under the mining law of the United States after July 23, 1955, as may be necessary for access to adjacent land for the purposes of such permittees or licensees. Any authorized use of the surface of any such mining claim shall be such as not to endanger or materially interfere with prospecting, mining or processing operations or uses reasonably incident thereto.

(2) Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under the regulations in this subpart only with the consent of such other Federal department or agency or of such State, or local governmental unit. The Act of July 23, 1955, supra, provides, however, that the Secretary of Agriculture shall dispose of materials under the Act of July 31, 1947, as amended, supra, if such materials are on lands administered by the Secretary of Agriculture for national forest purposes or for purposes of Title III of the Bankhead-Jones Farm Tenant Act or where withdrawn for the purpose of any other function of the Department of Agriculture.

(3) The provisions of the Act of July 23, 1955, supra, in disposal of vegetative or mineral materials do not apply to lands in any national park, or national monument or to any Indian lands or lands set aside or held for the use or benefit of Indians including lands over which jurisdiction has been transferred

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to the Department of the Interior by Executive order for the use of Indians.

§ 5500.0-5 Definitions.

Except as the context may otherwise indicate, as the terms are used in parts 5500 through 5520 of this chapter and in contracts issued thereunder:

(a) *Bureau* means the Bureau of Land Management, Department of the Interior.

(b) *Director* means the Director of the Bureau of Land Management.

(c) *Authorized Officer* means an employee of the Bureau of Land Management, to whom has been delegated the authority to take action.

(d) *O. and C. Lands* means the Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands and other lands administered by the Bureau of Land Management under the provisions of the Act of August 28, 1937 (50 Stat. 874).

(e) *Public Lands* means the public domain and its surface resources under the jurisdiction of the Bureau of Land Management.

(f) *Timber* means standing trees, downed trees or logs which are capable of being measured in board feet.

(g) *Other vegetative resources* means all vegetative material which cannot be measured in units of board feet of timber.

PART 5510—FREE USE OF TIMBER

Subpart 5510—Free Use of Timber; General

Sec.
5510.0-3 Authority.

Subpart 5511—Free Use Regulations

- 5511.1 Act of 1878.
- 5511.1-1 Free use of timber on mineral and nonmineral public lands.
- 5511.1-2 [Reserved]
- 5511.1-3 Use of timber on lands covered by grazing leases, by lessees, and others.
- 5511.2 Act of 1898 (Alaska).
- 5511.2-1 Free use privilege; cutting by agent.
- 5511.2-2 Free use of timber for Government purposes.
- 5511.2-3 Permits.
- 5511.2-4 Timber on withdrawn lands.
- 5511.3 Act of 1947.
- 5511.3-1 Free use of timber under other statutes.
- 5511.3-2 Permits.