

area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(Pub. L. 87-712, § 2, Sept. 28, 1962, 76 Stat. 650.)

REVISION OF BOUNDARIES; ADDITION AND DELETION OF  
ACREAGE

Pub. L. 94-578, title I, §101(13), Oct. 21, 1976, 90 Stat. 2733, as amended Pub. L. 96-199, title I, §111, Mar. 5, 1980, 94 Stat. 70, provided in part that: "The Secretary of the Interior is authorized to revise the boundary of the seashore [Padre Island National Seashore, Texas] to add approximately two hundred and seventy-four acres and to delete approximately two thousand acres, and sections 302 and 303 of the Act of April 11, 1972 (86 Stat. 120, 121) [Pub. L. 92-272, which sections were not classified to the Code], shall apply to the boundary revision authorized herein."

**§ 459d-2. Establishment**

**(a) Notice in Federal Register**

As soon as practicable after September 28, 1962 and following the acquisition by the Secretary of an acreage in the area described in section 459d of this title, that is in the opinion of the Secretary efficiently administrable to carry out the purposes of sections 459d to 459d-7 of this title, the Secretary shall establish the area as a national seashore by the publication of notice thereof in the Federal Register.

**(b) Distribution of notice and map**

Such notice referred to in subsection (a) of this section shall contain a detailed description of the boundaries of the seashore which shall encompass an area as nearly as practicable identical to the area described in section 459d of this title. The Secretary shall forthwith after the date of publication of such notice in the Federal Register (1) send a copy of such notice, together with a map showing such boundaries, by registered or certified mail to the Governor of the State and to the governing body of each of the political subdivisions involved; (2) cause a copy of such notice and map to be published in one or more newspapers which circulate in each of the localities; and (3) cause a certified copy of such notice, a copy of such map, and a copy of sections 459d to 459d-7 of this title to be recorded at the registry of deeds for the county involved.

(Pub. L. 87-712, § 3, Sept. 28, 1962, 76 Stat. 651.)

**§ 459d-3. Reservation of oil, gas, and other minerals**

(a) When acquiring land, waters, or interests therein, the Secretary shall permit a reservation by the grantor of all or any part of the oil and gas minerals in such land or waters and of other minerals therein which can be removed by similar means, with the right of occupation and use of so much of the surface of the land or waters as may be required for all purposes reasonably incident to the mining or removal of such from beneath the surface of these lands and waters and the lands and waters adjacent thereto, under such regulations as may be prescribed by

the Secretary with respect to such mining or removal.

(b) Any acquisition hereunder shall exclude and shall not diminish any right of occupation or use of the surface under grants, leases, or easements existing on April 11, 1961, which are reasonably necessary for the exploration, development, production, storing, processing, or transporting of oil and gas minerals that are removed from outside the boundaries of the national seashore and the Secretary may grant additional rights of occupation or use of the surface for the purposes aforesaid upon the terms and under such regulations as may be prescribed by him.

(Pub. L. 87-712, § 4, Sept. 28, 1962, 76 Stat. 651.)

**§ 459d-4. Administration; utilization of authority for conservation and management of natural resources**

Except as otherwise provided in sections 459d to 459d-7 of this title, the property acquired by the Secretary under such sections shall be administered by the Secretary, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented, and in accordance with other laws of general application relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of sections 459d to 459d-7 of this title.

(Pub. L. 87-712, § 5, Sept. 28, 1962, 76 Stat. 652.)

**§ 459d-5. Roadways to access highways from mainland**

The Secretary may provide for roadways from the north and south boundaries of such public recreation area to the access highways from the mainland to Padre Island.

(Pub. L. 87-712, § 6, Sept. 28, 1962, 76 Stat. 652.)

**§ 459d-6. Aerial gunnery and bombing range agreements of Secretary of the Interior and Secretary of the Navy**

The Secretary of the Interior shall enter into such administrative agreements with the Secretary of the Navy as the Secretary of the Navy may deem necessary to assure that the Secretary of the Interior will not exercise any authority granted by sections 459d to 459d-7 of this title so as to interfere with the use by the Department of the Navy of any aerial gunnery or bombing range located in the vicinity of Padre Island.

(Pub. L. 87-712, § 7, Sept. 28, 1962, 76 Stat. 652.)

**§ 459d-7. Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 459d to 459d-7 of this title; except that no more than \$5,350,000 shall be appropriated for the acquisition of land and waters and improvements thereon, and interests therein, and incidental costs relating thereto, in accordance with the provisions of such sections.