

Cumberland Island National Seashore”, numbered CUIS 40,000E, and dated January 1978, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior (hereinafter referred to as the “Secretary”) may after notifying the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives in writing, make minor adjustments in the boundary of the seashore from time to time by publication of a revised drawing or other boundary description in the Federal Register, but the total acreage within the boundaries shall not exceed forty thousand five hundred acres.

(Pub. L. 92-536, §1, Oct. 23, 1972, 86 Stat. 1066; Pub. L. 95-625, title III, §323, Nov. 10, 1978, 92 Stat. 3489; Pub. L. 98-170, Nov. 29, 1983, 97 Stat. 1116; Pub. L. 103-437, §6(l), Nov. 2, 1994, 108 Stat. 4586.)

AMENDMENTS

1994—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 United States House of Representatives and United States Senate”.

1983—Pub. L. 98-170 substituted “CUIS 40,000E” for “CUIS 40,000D”.

1978—Pub. L. 95-625 substituted reference to Boundary Map “numbered CUIS 40,000D, and dated January 1978” for “numbered CUIS—40,000B, and dated June 1971”.

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-447, div. E, title I, §145(c), Dec. 8, 2004, 118 Stat. 3074, provided that: “This section [amending section 459i-5 of this title and provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the ‘Cumberland Island Wilderness Boundary Adjustment Act of 2004’.”

§ 459i-1. Acquisition of lands; authority of Secretary; mainland lands for access to seashore administrative and visitor facilities; State lands; transfer from Federal agency to administrative jurisdiction of Secretary

Within the boundaries of the seashore, the Secretary may acquire lands, waters, and interests therein by purchase, donation, transfer from any Federal agency, or exchange. The Secretary may also acquire not to exceed one hundred acres of lands or interests in lands on the mainland to provide access to the administrative and visitor facilities for the seashore. Any lands or interests therein owned by the State of Georgia, or any political subdivision thereof may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore may, with the concurrence of the agency having custody thereof, be transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the seashore.

(Pub. L. 92-536, §2, Oct. 23, 1972, 86 Stat. 1066.)

§ 459i-2. Cumberland Island Parkway; right-of-way; administration; regulations

For the purpose of providing access from Interstate 95 to the mainland administrative

and visitor facilities of the seashore, the Secretary may designate as the Cumberland Island Parkway a right-of-way, together with adjacent or related sites for public noncommercial recreational use and for interpretation of scenic and historic values, of not more than one thousand acres of lands, waters, and interests therein. The Secretary is authorized to acquire only by donation those lands and interests therein, and other property comprising such right-of-way, and adjacent or related sites as he may designate pursuant to sections 459i to 459i-9 of this title for the development, hereby authorized, of a roadway of parkway standards, including necessary bridges, spurs, connecting roads, access roads, and other facilities, and for the development and interpretation of recreation areas and historic sites in connection therewith. Lands acquired for the parkway shall be administered as a part of the seashore, subject to all laws and regulations applicable thereto, and subject to such special regulations as the Secretary may promulgate for the parkway.

(Pub. L. 92-536, §3, Oct. 23, 1972, 86 Stat. 1066.)

§ 459i-3. Acquisition of property

(a) Private right of use and occupancy for residential purposes for fixed term of years or for life; election by owner; exception of property for visitor facilities or administration of seashore; compensation; contemporaneous restriction on development of public use facilities; lands, waters, and interests from National Park Foundation

With the exception of any property deemed necessary by the Secretary for visitor facilities or administration of the seashore, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the property for noncommercial residential purposes, for twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or his spouse, whichever is later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner: *Provided, however,* That, in addition, for so long as a right of use and occupancy remains in effect by the donors of land of one hundred acres or more, the Secretary shall not, with respect to such lands, develop any public use facilities except for trails, road access, and utilities: *Provided further,* That when acquiring lands, waters, and interests therein from the National Park Foundation, its successors and assigns, the Secretary shall acquire such lands, waters, and interests subject to the written terms and conditions contained in those transactions, including but not limited to options, entered into by the National Park Foundation prior to January 1, 1973, and that such previous written rights and interests shall prevail over provisions of this subsection.