

agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river is established, as determined by the Secretary. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above the Buffalo National River or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on March 1, 1972. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river is established, as determined by the Secretary, nor shall such department or agency request appropriations to begin construction on any such project, whether heretofore or hereafter authorized, without, at least sixty days in advance, (i) advising the Secretary, in writing, of its intention so to do and (ii) reporting to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, respectively, the nature of the project involved and the manner in which such project would conflict with the purposes of this subchapter or would affect the national river and the values to be protected by it under this subchapter.

(Pub. L. 92-237, § 4, Mar. 1, 1972, 86 Stat. 45; Pub. L. 95-91, title IV, § 402(a)(1)(A), Aug. 4, 1977, 91 Stat. 583; Pub. L. 103-437, § 6(n)(1), Nov. 2, 1994, 108 Stat. 4586.)

REFERENCES IN TEXT

The Federal Power Act, referred to in text, is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, which is classified generally to chapter 12 (§ 791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

AMENDMENTS

1994—Pub. L. 103-437 substituted “Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate” for “Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate”.

TRANSFER OF FUNCTIONS

“Federal Energy Regulatory Commission” substituted for “Federal Power Commission” in text pursuant to Pub. L. 95-91, § 402(a)(1)(A), which is classified to section 7172(a)(1)(A) of Title 42, The Public Health and Welfare.

Federal Power Commission terminated and functions, personnel, property, funds, etc., transferred to Secretary of Energy (except for certain functions transferred to Federal Energy Regulatory Commission) by sections 7151(b), 7171(a), 7172(a), 7291, and 7293 of Title 42.

§ 460m-12. Administration, protection, and development

The Secretary shall administer, protect, and develop the Buffalo National River in accordance with the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented; except that any other statutory authority 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 this subchapter.

(Pub. L. 92-237, § 5, Mar. 1, 1972, 86 Stat. 45.)

§ 460m-13. Suitability for preservation as a wilderness; area review and report to President

Within three years from March 1, 1972, the Secretary shall review the area within the boundaries of the national river and shall report to the President, in accordance with section 1132(c) and (d) of this title, his recommendation as to the suitability or nonsuitability of any area within the national river for preservation as a wilderness, and any designation of any such area as a wilderness, shall be accomplished in accordance with said section 1132(c) and (d) of this title.

(Pub. L. 92-237, § 6, Mar. 1, 1972, 86 Stat. 46.)

§ 460m-14. Authorization of appropriations

For the acquisition of lands and interests in lands, there are authorized to be appropriated not more than \$39,948,000. For development of the national river, there are authorized to be appropriated not to exceed \$9,371,000.

(Pub. L. 92-237, § 7, Mar. 1, 1972, 86 Stat. 46; Pub. L. 94-578, title I, § 101(3), title III, § 310, Oct. 21, 1976, 90 Stat. 2732, 2736; Pub. L. 95-625, title II, § 201(2), Nov. 10, 1978, 92 Stat. 3473.)

AMENDMENTS

1978—Pub. L. 95-625 increased land acquisition appropriations authorization to \$39,948,000 from \$30,071,500.

1976—Pub. L. 94-578 substituted “\$30,071,500” for “\$16,115,000” in provision covering the acquisition of lands and interests in lands and substituted “For development of the national river, there are authorized to be appropriated not to exceed \$9,371,000” for “For development of the national river, there are authorized to be appropriated not more than \$283,000 in fiscal year 1974; \$2,923,000 in fiscal year 1975; \$3,643,000 in fiscal year 1976; \$1,262,000 in fiscal year 1977; and \$1,260,000 in fiscal year 1978. The sums appropriated each year shall remain available until expended”.

SUBCHAPTER LXXI—A—NEW RIVER GORGE NATIONAL RIVER

§ 460m-15. Establishment; administration, protection, and development; utilization of other authorities; boundary description, availability for public inspection

For the purpose of conserving and interpreting outstanding natural, scenic, and historic values and objects in and around the New River Gorge and preserving as a free-flowing stream an important segment of the New River in West Virginia for the benefit and enjoyment of present and future generations, the Secretary of the Interior (hereinafter referred to as the “Secretary”) shall establish and administer the New River Gorge National River. The Secretary shall administer, protect, and develop the national river in accordance with the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented; except that any other statutory authority available to the Secretary for the preservation and management of natural resources may be utilized to the extent he finds