

area by donation, purchase with donated or appropriated funds, or exchange. When any tract of land is only partly within such boundaries, the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal lands within the boundaries, and any land so acquired and not utilized for exchange shall be reported to the General Services Administration for disposal under chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41. Any Federal property located within the boundaries of the recreation area may be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the recreation area. Lands within the boundaries of the recreation area owned by the State of Oklahoma, or any political subdivision thereof, may be acquired only by donation: *Provided*, That the Secretary may also acquire lands by exchange with the city of Sulphur, utilizing therefor only such lands as may be excluded from the recreation area which were formerly within the Platt National Park.

(b) Acquisition of improved residential property; retention by owners of right of use and occupancy for noncommercial residential purposes; terms; payment of fair market value

With respect to improved residential property acquired for the purposes of this subchapter, which is beneficially owned by a natural person and which the Secretary determines can be continued in that use for a limited period of time without undue interference with the administration, development, or public use of the recreation area, the owner thereof may on the date of its acquisition by the Secretary retain a right of use and occupancy of the property for noncommercial residential purposes for a term, as the owner may elect, ending either (1) at the death of the owner or his spouse, whichever occurs later, or (2) not more than twenty-five years from the date of acquisition. Any right so retained may, during its existence, be transferred or assigned. 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.

(c) "Improved residential property" defined; determination by Secretary

As used in this subchapter, "improved residential property" means a single-family year-round dwelling, the construction of which began before March 1, 1975, and which serves as the owner's permanent place of abode at the time of its acquisition by the United States, together with not more than three acres of land on which the dwelling and appurtenant buildings are located that the Secretary finds is reasonably necessary for the owner's continued use and occupancy of the dwelling: *Provided*, That the Secretary may exclude from improved residential property any waters and adjoining land that the Secretary deems is necessary for public access to such waters.

(d) Termination of right of use and occupancy; determination by Secretary

The Secretary may terminate a right to use and occupancy retained pursuant to this section upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this subchapter, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(Pub. L. 94-235, § 2, Mar. 17, 1976, 90 Stat. 235.)

CODIFICATION

In subsec. (a), "chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41" substituted for "the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended" on authority of Pub. L. 107-217, § 5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

§ 460hh-2. Establishment of hunting and fishing zones; exceptions; consultation with State agencies

The Secretary shall permit hunting and fishing on lands and waters within the recreation area in accordance with applicable Federal and State laws: *Provided*, That he may designate zones where, and establish periods when, no hunting or fishing will be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations issued by the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities.

(Pub. L. 94-235, § 3, Mar. 17, 1976, 90 Stat. 236.)

§ 460hh-3. Law governing; Arbuckle Dam and Reservoir

(a) Except as otherwise provided in this subchapter, the Secretary shall administer the recreation area in accordance with the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented.

(b) Nothing contained in this subchapter shall affect or interfere with the authority of the Secretary by the Act of August 24, 1962 (76 Stat. 395) [43 U.S.C. 616k et seq.], to operate the Arbuckle Dam and Reservoir in accordance with and for the purposes set forth in that Act.

(Pub. L. 94-235, § 4, Mar. 17, 1976, 90 Stat. 236.)

REFERENCES IN TEXT

Act of August 24, 1962, referred to in subsec. (b), is Pub. L. 87-594, Aug. 24, 1962, 76 Stat. 395, which was classified to subchapter XL (§ 616k et seq.) of chapter 12 of Title 43, Public Lands, and which was omitted from the Code because of limited applicability.

§ 460hh-4. Platt National Park designation repealed; incorporation of areas into Chickasaw National Recreation Area

The Act of June 29, 1906 (34 Stat. 837), which directed that certain lands now included by this subchapter in the recreation area be designated

as the Platt National Park, is hereby repealed, and such lands shall hereafter be considered and known as an integral part of the Chickasaw National Recreation Area: *Provided*, That within such area the Secretary may cause to be erected suitable markers or plaques to honor the memory of Orville Hitchcock Platt and to commemorate the original establishment of Platt National Park.

(Pub. L. 94-235, § 5, Mar. 17, 1976, 90 Stat. 236.)

REFERENCES IN TEXT

Act of June 29, 1906, referred to in text, is act June 29, 1906, No. 42, 34 Stat. 837, which was classified to sections 151, 152, and 153 of this title, and was repealed by Pub. L. 94-235, § 5, Mar. 17, 1976, 90 Stat. 236.

§ 460hh-5. Concurrent legislative jurisdiction with State of Oklahoma; requisites; notice in Federal Register

Notwithstanding the provisions of section 153 of this title, which retain exclusive jurisdiction in the United States, upon notification in writing to the Secretary by the appropriate State officials of the acceptance by the State of Oklahoma of concurrent legislative jurisdiction over the lands formerly within the Platt National Park, the Secretary shall publish a notice to that effect in the Federal Register and, upon such publication, concurrent legislative jurisdiction over such lands is hereby ceded to the State of Oklahoma: *Provided*, That such cession of jurisdiction shall not occur until a written agreement has been reached between the State of Oklahoma and the Secretary providing for the exercise of concurrent jurisdiction over all other lands and waters within the Chickasaw National Recreation Area.

(Pub. L. 94-235, § 6, Mar. 17, 1976, 90 Stat. 236.)

§ 460hh-6. Authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this subchapter, but not to exceed \$1,600,000 for the acquisition of lands and interests in lands, and \$4,567,000 for development.

(Pub. L. 94-235, § 7, Mar. 17, 1976, 90 Stat. 237.)

SUBCHAPTER XCIII—CHATTAHOCHEE RIVER NATIONAL RECREATION AREA

§ 460ii. Establishment; boundaries; publication in Federal Register

The Congress finds the natural, scenic, recreation, historic, and other values of a forty-eight-mile segment of the Chattahoochee River and certain adjoining lands in the State of Georgia from Buford Dam downstream to Peachtree Creek are of special national significance, and that such values should be preserved and protected from developments and uses which would substantially impair or destroy them. In order to assure such preservation and protection for public benefit and enjoyment, there is hereby established the Chattahoochee River National Recreation Area (hereinafter referred to as the "recreation area"). The recreation area shall consist of the river and its bed together with the

lands, waters, and interests therein within the boundary generally depicted on the map entitled "Chattahoochee River National Recreation Area", numbered CHAT-20,003, and dated September 1984, and on the maps entitled "Chattahoochee River National Recreation Area Interim Boundary Map #1", "Chattahoochee River National Recreation Area Interim Boundary Map #2", and "Chattahoochee River National Recreation Area Interim Boundary Map #3", and dated August 6, 1998, which shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior. No sooner than 180 days after December 9, 1999, the Secretary of the Interior (hereafter referred to as the "Secretary") may modify the boundaries of the recreation area to include other land within the Chattahoochee River corridor by submitting a revised map or other boundary description to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. The revised map or other boundary description shall be prepared by the Secretary after consultation with affected landowners, the State of Georgia, and affected political subdivisions of the State. The revised boundaries shall take effect 180 days after the date of submission unless, within the 180-day period, Congress enacts a joint resolution disapproving the revised boundaries. The total area, exclusive of the river and its bed, within the recreation area may not exceed 10,000 acres. For purposes of facilitating Federal technical and other support to State and local governments to assist State and local efforts to protect the scenic, recreational, and natural values of a 2,000 foot wide corridor adjacent to each bank of the Chattahoochee River and its impoundments in the 48-mile segment referred to above, such corridor is hereby declared to be an area of national concern.

(Pub. L. 95-344, title I, § 101, Aug. 15, 1978, 92 Stat. 474; Pub. L. 98-568, § 1(a), (b), Oct. 30, 1984, 98 Stat. 2928; Pub. L. 103-437, § 6(d)(18), Nov. 2, 1994, 108 Stat. 4584; Pub. L. 106-154, § 2(a), Dec. 9, 1999, 113 Stat. 1737.)

AMENDMENTS

1999—Pub. L. 106-154, § 2(a)(3), substituted "may not exceed 10,000 acres" for "may not exceed approximately 6,800 acres" in penultimate sentence.

Pub. L. 106-154, § 2(a)(2), inserted fourth sentence and struck out former fourth sentence which read as follows: "Following reasonable notice in writing to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate of his intention to do so, the Secretary of the Interior (hereinafter referred to as the 'Secretary') may, by publication of a revised map or other boundary description in the Federal Register, (1) make minor revisions in the boundary of the recreation area, and (2) revise the boundary to facilitate access to the recreation area, or to delete lands which would be of little or no benefit to the recreation area due to the existence of valuable improvements completely constructed prior to August 15, 1978."

Pub. L. 106-154, § 2(a)(1), in third sentence, inserted "and on the maps entitled 'Chattahoochee River National Recreation Area Interim Boundary Map #1', 'Chattahoochee River National Recreation Area Interim Boundary Map #2', and 'Chattahoochee River Na-