

1978—Pub. L. 95-625 redesignated as “Puuhonua o Honaunau National Historical Park” the park previously designated “City of Refuge National Historical Park”.

SUBCHAPTER XLIV—VIRGIN ISLANDS  
NATIONAL PARK

**§ 398. Establishment; administration**

A portion of the Virgin Islands of the United States, containing outstanding scenic and other features of national significance, shall be established, as prescribed in section 398a of this title, as the “Virgin Islands National Park”.

The national park shall be administered and preserved by the Secretary of the Interior in its natural condition for the public benefit and inspiration, in accordance with the laws governing the administration of the national parks.

(Aug. 2, 1956, ch. 885, §1, 70 Stat. 940.)

REFERENCES IN TEXT

The laws governing the administration of the national parks, referred to in the second par., are classified to section 1 et seq. of this title.

**§ 398a. Conditions and limitations**

The Secretary of the Interior is authorized subject to the following conditions and limitations, to proceed in such manner as he shall find to be necessary in the public interest to consummate the establishment of the Virgin Islands National Park:

(a) The acreage of the national park shall be limited to a total of not more than nine thousand five hundred acres of land area, such total to be comprised of not more than fifteen acres on the island of Saint Thomas, and not more than nine thousand four hundred and eighty-five additional acres to be comprised of portions of the island of Saint John and such small islands, rocks, and cays not in excess of five hundred acres in the general vicinity thereof as may be desirable for inclusion within the park;

(b) Tentative exterior boundary lines, to include land not in excess of the aforesaid acreage limitations, may be selected for the park in order to establish the particular areas in which land may be acquired pursuant to this section and section 398 of this title, such tentative boundaries to be selected and adjusted as may be necessary by the Secretary of the Interior;

(c) The Secretary, on behalf of the United States, is authorized to accept donations of real and personal property within the areas selected for the park until such time as the aforesaid total of nine thousand five hundred acres shall have been acquired for the park by the United States, and he may also accept donations of funds for the purposes of this section and section 398 of this title. Notwithstanding the acreage limitations and boundary designations contained in this section, the Secretary is authorized to accept through donation, or purchase from a willing seller, the real and personal property located on Lots 251-252 Estate Contant Enighed, Parcels 86B and 86AA Cruz Bay Quarter;

(d) Any Federal properties situated within the areas selected for the park, upon agreement by the particular agency administering such prop-

erties that such properties shall be made available for the park, may be transferred without further authorization to the Secretary by such agency for purposes of this section and section 398 of this title;

(e) Establishment of the Virgin Islands National Park, in its initial phase, shall be and is declared to be accomplished and effective for purposes of administration when a minimum acreage of not less than five thousand acres in Federal ownership for purposes of this section and section 398 of this title shall have been acquired by the United States in specific areas containing such acquired lands to be designated by the Secretary; and

(f) Notice of the establishment of the park as authorized and prescribed by this section and section 398 of this title shall be published in the Federal Register.

(Aug. 2, 1956, ch. 885, §2, 70 Stat. 940; Pub. L. 95-348, §7(b)(6), Aug. 18, 1978, 92 Stat. 495.)

AMENDMENTS

1978—Subsec. (c). Pub. L. 95-348 inserted provisions relating to acceptance through donation or purchase of the real and personal property located on Lots 251-252 Estate Contant Enighed.

**§ 398b. Repealed. Pub. L. 85-404, May 16, 1958, 72 Stat. 112**

Section, act Aug. 2, 1956, ch. 885, §3, 70 Stat. 941, authorized an appropriation for capital improvements and an annual appropriation for administration of the Virgin Islands National Park.

**§ 398c. Addition of lands**

In furtherance of the purposes of sections 398 and 398a of this title, providing for the establishment of the Virgin Islands National Park, and in order to preserve for the benefit of the public significant coral gardens, marine life, and seascapes in the vicinity thereof, the boundaries of such park, subject to valid existing rights, are revised to include the adjoining lands, submerged lands, and waters, and Hassel Island located in Saint Thomas Harbor and adjoining lands, submerged lands, and waters, described as follows:

NORTH OFFSHORE AREA

Beginning at the hereinafter lettered point A on the shore of Cruz Bay, a corner in the Virgin Islands National Park boundary, being also a corner of lot F, Cruz Bay, added to the park by order of designation signed June 29, 1960, by the Assistant Secretary of the Interior pursuant to sections 398 and 398a of this title, and published in the Federal Register of July 7, 1960, the said corner being the terminus of the course recited therein as “north 58 degrees 50 minutes west a distance of 20.0 feet, more or less, along Government land to a point;” for the third call in the metes and bounds description lot F, Cruz Bay.

From the initial point A, distances in nautical miles, along direct courses between the hereinafter lettered points at geographic positions (latitudes north, longitudes west):

Northwestward approximately 0.13 mile to point B, latitude 18 degrees 20 minutes 08 seconds, longitude 64 degrees 47 minutes 43 seconds in Cruz Bay;

0.43 mile to Point C, latitude 18 degrees 20 minutes 08 seconds, longitude 64 degrees 48 minutes 10 seconds in Pillsbury Sound;

1.36 miles to point D, latitude 18 degrees 21 minutes 30 seconds, longitude 64 degrees 48 minutes 10 seconds in Windward Passage;

1.64 miles to point E, latitude 18 degrees 22 minutes 10 seconds, longitude 64 degrees 46 minutes 35 seconds in the Atlantic Ocean;

1.99 miles to point F, latitude 18 degrees 22 minutes 45 seconds, longitude 64 degrees 44 minutes 35 seconds in the Narrows;

3.18 miles to point G, latitude 18 degrees 22 minutes 00 seconds, longitude 64 degrees 41 minutes 20 seconds in Sir Francis Drake Channel;

1.04 miles to point H, latitude 18 degrees 21 minutes 10 seconds, longitude 64 degrees 40 minutes 40 seconds in Haulover Bay;

Southwestward approximately 0.22 mile to point I, a bound post on the shore of Haulover Bay marking a corner of the Virgin Islands National Park boundary as shown on drawing numbered NP-VI-7000 entitled "Acquisition Area Virgin Islands National Park", approved November 15, 1956, by the acting Secretary of the Interior in accordance with sections 398 and 398a of this title, being also the southeasterly corner of estate Haulover 5a and 5c east end quarter as delineated on the municipality of Saint Thomas and Saint John drawing PW file numbered 9-24-T51 dated October 26, 1950;

Thence running generally westward along the Virgin Islands National Park northerly boundary as it follows the northerly shore of the island of Saint John as shown on the said drawing numbered NP-VI-7000 and on drawing numbered NP-VI-7003 entitled "Land Ownership Cruz Bay Creek" depicting the boundary adjustment affected by the said order of designation to point A, the point of beginning.

The area described contains approximately 4,100 acres.

#### SOUTH OFFSHORE AREA

Beginning at the hereinafter lettered point L, a concrete bound post on the short of Drunk Bay marking a northeasterly corner in the Virgin Islands National Park boundary as shown on the said drawing numbered NP-VI-7000, being also the northeasterly corner of parcel numbered 1, estate Concordia (A), as delineated on the Leo R. Sibilly, civil engineer, drawing file numbered C9-13-T55.

From the initial point L, distances in nautical miles, along direct courses between the hereinafter lettered points at geographic positions (latitudes north, longitudes west):

Eastward approximately 0.32 mile to point M, latitude 18 degrees 18 minutes 48 seconds, longitude 64 degrees 41 minutes 50 seconds in Sabbat Channel;

0.88 mile to point N, latitude 18 degrees 17 minutes 55 seconds, longitude 64 degrees 41 minutes 50 seconds in the Caribbean Sea;

0.40 mile to point O, latitude 18 degrees 17 minutes 55 seconds, longitude 64 degrees 42 minutes 15 seconds in the Caribbean Sea;

1.88 miles to point P, latitude 18 degrees 18 minutes 48 seconds, longitude 64 degrees 44 minutes 00 seconds in the Caribbean Sea;

1.74 miles to point Q, latitude 18 degrees 18 minutes 48 seconds, longitude 64 degrees 45 minutes 50 seconds in the Caribbean Sea;

0.45 mile to point R, latitude 18 degrees 19 minutes 15 seconds, longitude 64 degrees 45 minutes 50 seconds in Fish Bay;

Eastward approximately 0.08 mile to point S on the shore of Fish Bay, a corner in the present Virgin Islands National Park, as delineated on said drawing numbered NP-VI-7000, being the northwesterly corner of parcel numbered 2 estate Fish Bay, numbered 8 Reef Bay Quarter, and the terminus of the delineated course "south 78 degrees 52 minutes west distance 1,178.9 feet" as depicted on the Leo R. Sibilly, civil engineer, drawing file numbered G9-385-T56.

Thence running generally eastward along the present southerly park boundary as it follows the southerly shore of the island of Saint John as depicted on the said drawing numbered NP-VI-7000 to point L, the point of beginning.

The area described contains approximately 1,550 acres.

#### HASSEL ISLAND

The area known as Hassel Island in Saint Thomas Harbor consisting of approximately 135 acres, together with such adjoining lands, submerged lands, and waters as the Secretary of the Interior deems appropriate, but the boundaries shall not, in any event, extend beyond 100 yards from the mean high water mark of the island.

Lands, submerged lands, and waters added to the Virgin Islands National Park pursuant to sections 398c to 398f of this title shall be subject to administration by the Secretary of the Interior in accordance with the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented.

(Pub. L. 87-750, §1, Oct. 5, 1962, 76 Stat. 746; Pub. L. 95-348, §7(a), Aug. 18, 1978, 92 Stat. 493.)

#### AMENDMENTS

1978—Pub. L. 95-348 inserted provisions relating to boundaries of Hassel Island located in Saint Thomas Harbor and adjoining lands, submerged lands, and waters.

#### § 398d. Acquisition of lands, waters, and interests therein

##### (a) Authorization; payment requirements; interest rate

Within the boundaries of Virgin Islands National Park as established and adjusted pursuant to sections 398 and 398a of this title, and as revised by sections 398c to 398f of this title, the Secretary of the Interior is authorized to acquire lands, waters, and interests therein by purchase, exchange or donation or with donated funds. In acquiring such lands, up to 6.6 acres, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding the current prevailing commercial rate.

##### (b) Employment and training of residents to develop, etc., area

The Secretary is authorized and directed to the maximum extent feasible to employ and