

(A) Fern Lake

The term “Fern Lake” means Fern Lake located in Bell County, Kentucky, and Claiborne County, Tennessee.

(B) Land

The term “land” means land, water, interests in land, and any improvements on the land.

(C) Park

The term “park” means Cumberland Gap National Historical Park, as authorized and established by the Act of June 11, 1940 (54 Stat. 262; 16 U.S.C. 261 et seq.).

(D) Secretary

The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(2) Acquisition authorized

The Secretary may acquire for addition to the park lands consisting of approximately 4,500 acres and containing Fern Lake and its surrounding watershed, as generally depicted on the map entitled “Cumberland Gap National Historical Park, Fern Lake Watershed”, numbered 380/80,004, and dated May 2001. The map shall be on file in the appropriate offices of the National Park Service.

(3) Boundary adjustment and administration

Subject to paragraph (4), the Secretary shall revise the boundaries of the park to include the land acquired under paragraph (2). The Secretary shall administer the acquired lands as part of the park in accordance with the laws and regulations applicable to the park.

(4) Conveyance of Fern Lake**(A) Conveyance required**

If the Secretary acquires Fern Lake, the Secretary shall convey, notwithstanding any other law and without consideration, to the city of Middlesboro, Kentucky, all right, title, and interest of the United States in and to Fern Lake, up to the normal operating elevation of 1,200.4 feet above sea level, along with the dam and all appurtenances associated with the withdrawal and delivery of water from Fern Lake.

(B) Terms of conveyance

In executing the conveyance under subparagraph (4)(A), the Secretary may retain an easement for scenic and recreational purposes.

(C) Reversionary interest

In the event Fern Lake is no longer used as a source of municipal water supply for the city of Middlesboro, Kentucky, and its environs, ownership of Fern Lake shall revert to the United States and it shall be managed by the Secretary as part of the park.

(5) Consultation requirements

In order to better manage lands acquired under this section in a manner that will facilitate the provision of water for municipal needs, as well as the establishment and promotion of new recreational opportunities at the park, the Secretary shall consult with—

(A) appropriate officials in the States of Kentucky, Tennessee, and Virginia, and political subdivisions of these States;

(B) organizations involved in promoting tourism in these States; and

(C) other interested parties.

(Pub. L. 108-199, div. H, §150, Jan. 23, 2004, 118 Stat. 446.)

REFERENCES IN TEXT

This section and the section, referred to in subsecs. (a) and (b)(2), were in the original “This Act” and “the Act”, which were translated as meaning section 150 of Pub. L. 108-199, div. H, Jan. 23, 2004, 118 Stat. 446, to reflect the probable intent of Congress.

The act of June 11, 1940, referred to in subsecs. (b)(1)(A) and (c)(1)(C), is act June 11, 1940, ch. 304, 54 Stat. 262, as amended, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as the Fern Lake Conservation and Recreation Act, and also as part of the Miscellaneous Appropriations and Offsets Act, 2004, and Consolidated Appropriations Act, 2004, and not as part of act June 11, 1940, ch. 304, 54 Stat. 262, which comprises this subchapter.

SUBCHAPTER XXIX—CANYONLANDS NATIONAL PARK

§ 271. Establishment; description of area

In order to preserve an area in the State of Utah possessing superlative scenic, scientific, and archeologic features for the inspiration, benefit, and use of the public, there is hereby established the Canyonlands National Park which, subject to valid existing rights, shall comprise the area generally depicted on the drawing entitled “Boundary Map, Canyonlands National Park, Utah”, numbered 164-91004 and dated June 1970, which shows the boundaries of the park having a total of approximately three hundred and thirty-seven thousand two hundred and fifty-eight acres. The map is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(Pub. L. 88-590, §1, Sept. 12, 1964, 78 Stat. 934; Pub. L. 92-154, §1(a), Nov. 12, 1971, 85 Stat. 421.)

AMENDMENTS

1971—Pub. L. 92-154 substituted provision respecting revision of boundaries of the park and referring to Boundary Map on file and available for public inspection for depiction of the park area on the drawing, for prior specific detailed description of the area.

§ 271a. Acquisition of lands; authority of Secretary; exchange of property; cash equalization payments; transfer from Federal agency to administrative jurisdiction of Secretary; lands subject to reclamation and power withdrawals

Within the area which lies within the boundaries of the park, the Secretary of the Interior is authorized to acquire lands and interests in lands by such means as he may deem to be in the public interest. The Secretary may accept title to any non-Federal property within the park, including State-owned school sections and