

(Pub. L. 89-668, § 5, Oct. 15, 1966, 80 Stat. 923.)

**§ 460s-5. Administration, protection, and development**

**(a) Utilization of authority for conservation and management of natural resources**

The administration, protection, and development of the Pictured Rocks National Lakeshore shall be exercised by the Secretary, subject to the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented, relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise 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.

**(b) Land and water use management plan; preparation and implementation; provisions**

In the administration, protection, and development of the lakeshore, the Secretary shall prepare and implement a land and water use management plan, which shall include specific provision for—

(1) development of facilities to provide the benefits of public recreation, including appropriate improvements to Alger County Road H-58;

(2) protection of scenic, scientific, and historic features contributing to public enjoyment; and

(3) such protection, management, and utilization (subject to the provisions of sections 460s-8 and 460s-9 of this title) of renewable natural resources, including forage and forest products, as in the judgment of the Secretary is consistent with, and does not significantly impair public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

**(c) Prohibition of certain construction**

A scenic shoreline drive may not be constructed in the Pictured Rocks National Lakeshore.

(Pub. L. 89-668, § 6, Oct. 15, 1966, 80 Stat. 923; Pub. L. 105-378, title II, § 202, Nov. 12, 1998, 112 Stat. 3398.)

AMENDMENTS

1998—Subsec. (b)(1). Pub. L. 105-378, § 202(1), substituted “including appropriate improvements to Alger County Road H-58” for “including a scenic shoreline drive”.

Subsec. (c). Pub. L. 105-378, § 202(2), added subsec. (c).

**§ 460s-6. Taxing power**

Nothing in this subchapter shall be construed as prohibiting governmental jurisdiction in the State of Michigan from assessing taxes upon any interest in real estate retained under the provisions of section 460s-10 of this title to the owner of such interest.

(Pub. L. 89-668, § 7, Oct. 15, 1966, 80 Stat. 923.)

**§ 460s-7. Acquisition of property**

**(a) Authority of Secretary; manner and place; condemnation authority**

The Secretary is authorized, subject to the limitations, conditions, and restrictions im-

posed by this subchapter, to acquire the land, water, and other property, and improvements thereon, and any interests therein (including easements) within the boundary described in section 460s-1 of this title by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or condemnation; except that such authority to acquire by condemnation shall be exercised only in the manner and to the extent specifically authorized in this subchapter.

**(b) Sale offers; hardship from delay**

In exercising his authority to acquire property under this subchapter, the Secretary shall give immediate and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property to the Secretary. In considering any such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

**(c) State donations; transfer from Federal agency to administrative jurisdiction of Secretary**

Any property or interests therein, owned by the State of Michigan, or any political subdivisions thereof, may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this subchapter.

**(d) Negotiation and purchase; condemnation proceedings; fair market value**

The Secretary shall make every reasonable effort to acquire property through negotiation and purchase. Where agreement is not reached and condemnation proceedings are filed, the owner of such property shall be paid the fair market value thereof as determined in such proceedings.

**(e) Condemnation to acquire clear, marketable and encumbrance-free title**

Nothing in this subchapter shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

**(f) Exchange of properties; cash equalization payments**

In exercising his authority to acquire property by exchange the Secretary may accept title to any non-Federal property within the area designated by section 460s-1 of this title for inclusion in the lakeshore, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Michigan which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(Pub. L. 89-668, § 8, Oct. 15, 1966, 80 Stat. 923.)

**§ 460s-8. Inland buffer zone**

**(a) Statement of purposes**

The area hereinafter described in subsection (b) of this section is hereby established as an in-