

## CODIFICATION

Section was enacted as part of the National Parks and Recreation Act of 1978, and not as part of the Chesapeake and Ohio Canal Development Act which comprises this subchapter.

## AMENDMENTS

1980—Pub. L. 96-199 struck out proviso that additions to the park as authorized by this section shall not include any properties located between 30th Street and Thomas Jefferson Street in the northwest section of the District of Columbia.

**§ 410y-2. Consideration by Secretary of comprehensive local or State development, land use, or recreational plans**

The Secretary shall take into account comprehensive local or State development, land use, or recreational plans affecting or relating to areas in the vicinity of the canal, and shall, wherever practicable, consistent with the purposes of this subchapter, exercise the authority granted by this subchapter, in a manner which he finds will not conflict with such local or State plans.

(Pub. L. 91-664, § 4, Jan. 8, 1971, 84 Stat. 1979.)

**§ 410y-3. Access**

**(a) Pre-existing rights and permits**

The enactment of this subchapter shall not affect adversely any valid rights heretofore existing, or any valid permits heretofore issued, within or relating to areas authorized for inclusion in the park.

**(b) Issuance of permits by Secretary for use of park lands and utility, highway, and railway crossings**

Other uses of park lands, and utility, highway, and railway crossings, may be authorized under permit by the Secretary, if such uses and crossings are not in conflict with the purposes of the park and are in accord with any requirements found necessary to preserve park values.

**(c) Crossing by foot at designated locations; purposes; conduct**

Authority is hereby granted for individuals to cross the park by foot at locations designated by the Secretary for the purpose of gaining access to the Potomac River or to non-Federal lands for hunting purposes: *Provided*, That while such individuals are within the boundaries of the park firearms shall be unloaded, bows unstrung, and dogs on leash.

(Pub. L. 91-664, § 5, Jan. 8, 1971, 84 Stat. 1979.)

**§ 410y-4. Chesapeake and Ohio Canal National Historical Park Commission**

**(a) Establishment**

There is hereby established a Chesapeake and Ohio Canal National Historical Park Commission (hereafter in this section referred to as the "Commission").

**(b) Membership; appointment; term**

The Commission shall be composed of nineteen members appointed by the Secretary for terms of five years each, as follows:

(1) Eight members to be appointed from recommendations submitted by the boards of

commissioners or the county councils, as the case may be, of Montgomery, Frederick, Washington, and Allegany Counties, Maryland, of which two members shall be appointed from recommendations submitted by each such board or council, as the case may be;

(2) Eight members to be appointed from recommendations submitted by the Governor of the State of Maryland, the Governor of the State of West Virginia, the Governor of the Commonwealth of Virginia, and the Mayor of the District of Columbia, of which two members shall be appointed from recommendations submitted by each such Governor or Mayor, as the case may be; and

(3) Three members to be appointed by the Secretary, one of whom shall be designated Chairman of the Commission and two of whom shall be members of regularly constituted conservation organizations.

**(c) Vacancies**

Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made. A member may serve after the expiration of his term until his successor has taken office.

**(d) Compensation and payment of expenses**

Members of the Commission shall serve without compensation, as such, but the Secretary is authorized to pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this subchapter.

**(e) Consultation by Secretary**

The Secretary, or his designee, shall from time to time but at least annually, meet and consult with the Commission on general policies and specific matters related to the administration and development of the park.

**(f) Majority vote**

The Commission shall act and advise by affirmative vote of a majority of the members thereof.

**(g) Termination**

The Commission shall cease to exist 40 years from January 8, 1971.

(Pub. L. 91-664, § 6, Jan. 8, 1971, 84 Stat. 1980; Pub. L. 93-198, title IV, § 421, Dec. 24, 1973, 87 Stat. 789; Pub. L. 96-555, Dec. 19, 1980, 94 Stat. 3260; Pub. L. 101-320, July 3, 1990, 104 Stat. 292; Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 134], Dec. 21, 2000, 114 Stat. 2763, 2763A-230.)

## AMENDMENTS

2000—Subsec. (g). Pub. L. 106-554 substituted "40" for "thirty".

1990—Subsec. (c). Pub. L. 101-320, § 1(a), inserted at end "A member may serve after the expiration of his term until his successor has taken office."

Subsec. (g). Pub. L. 101-320, § 1(b), substituted "thirty" for "twenty".

1980—Subsec. (g). Pub. L. 96-555 substituted "twenty" for "ten".

## TRANSFER OF FUNCTIONS

Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of