

- (ii) shall be developed in consultation with—  
 (I) such heads of Federal and non-Federal departments or agencies as the Secretary determines to be appropriate; and  
 (II) the authorized beneficiaries (as determined by the Secretary) of any Reclamation project included in the plan; and

(iii) shall be developed with appropriate public participation.

(C) Each plan described in subparagraph (A) shall provide for the development, use, conservation, protection, enhancement, and management of resources of Reclamation lands in a manner that is compatible with the authorized purposes of the Reclamation project associated with the Reclamation lands.

**(d) Nonreimbursable funds**

Funds expended by the Secretary in carrying out the provisions of this part shall be nonreimbursable under the Federal reclamation laws (the Act of June 17, 1902 (32 Stat. 388, chapter 1093; 43 U.S.C. 371),<sup>2</sup> and Acts supplementary thereto and amendatory thereof).

(Pub. L. 102-575, title XXVIII, §2805, Oct. 30, 1992, 106 Stat. 4692.)

REFERENCES IN TEXT

This part, referred to in subsec. (d), was in the original "this title", meaning title XXVIII of Pub. L. 102-575, Oct. 30, 1992, 106 Stat. 4690, which enacted sections 460l-31 to 460l-34 of this title and amended sections 460l-13 to 460l-15 and 460l-18 of this title.

Act of June 17, 1902, referred to in subsec. (d), is act June 17, 1902, ch. 1093, 32 Stat. 388, popularly known as the Reclamation Act, which is classified generally to chapter 12 (§371 et seq.) of Title 43, Public Lands. However, section 371 of Title 43 is act Dec. 5, 1924, ch. 4, §4, subsec. A, 43 Stat. 701. For complete classification of act June 17, 1902, to the Code, see Short Title note set out under section 371 of Title 43 and Tables.

**§ 460l-34. Protection of authorized purposes of reclamation projects**

(a) Nothing in this part shall be construed to change, modify, or expand the authorized purposes of any Reclamation project.

(b) The expansion or modification of a recreational facility constructed under this part shall not increase the capital repayment responsibilities or operation and maintenance expenses of the beneficiaries of authorized purposes of the associated Reclamation project. The term "beneficiaries" does not include those entities who sign agreements or enter into contracts for recreation facilities pursuant to the Federal Water Project Recreation Act [16 U.S.C. 460l-12 et seq.].

(Pub. L. 102-575, title XXVIII, §2806, Oct. 30, 1992, 106 Stat. 4693.)

REFERENCES IN TEXT

This part, referred to in text, was in the original "this title", meaning title XXVIII of Pub. L. 102-575, Oct. 30, 1992, 106 Stat. 4690, which enacted sections 460l-31 to 460l-34 of this title and amended sections 460l-13 to 460l-15 and 460l-18 of this title.

The Federal Water Project Recreation Act, referred to in subsec. (b), is Pub. L. 89-72, July 9, 1965, 79 Stat.

<sup>2</sup> See References in Text note below.

213, as amended, which is classified principally to part C (§460l-12 et seq.) of this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460l-12 of this title and Tables.

SUBCHAPTER LXX—OZARK NATIONAL SCENIC RIVERWAYS

**§ 460m. Establishment**

For the purpose of conserving and interpreting unique scenic and other natural values and objects of historic interest, including preservation of portions of the Current River and the Jacks Fork River in Missouri as free-flowing streams, preservation of springs and caves, management of wildlife, and provisions for use and enjoyment of the outdoor recreation resources thereof by the people of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall designate for establishment as the Ozark National Scenic Riverways the area (hereinafter referred to as "such area") generally depicted on map numbered NR OZA 7002 entitled "Proposed Ozark National Rivers" dated December 1963 which map is on file for public inspection in the office of the National Park Service, Department of the Interior: *Provided*, That the area so designated shall not include more than sixty-five thousand acres of land now in private ownership and that no lands shall be designated within two miles of the present boundaries of the municipalities of Eminence and Van Buren, Missouri. The Secretary, with the concurrence of the State, shall designate for inclusion in the Ozark National Scenic Riverways, the lands composing Big Springs, Alley Springs, and Round Spring State Parks, and the Secretary is hereby directed to negotiate with the State for the donation and the inclusion of such park lands in the Ozark National Scenic Riverways.

(Pub. L. 88-492, §1, Aug. 27, 1964, 78 Stat. 608.)

**§ 460m-1. Acquisition of lands, easements, etc.; exchange of lands; consent of State; reversion to State; administrative jurisdiction of Federal lands or waters**

The Secretary may, within the area designated or altered pursuant to section 460m-3 of this title, acquire lands and interests therein, including scenic easements, by such means as he may deem to be in the public interest: *Provided*, That scenic easements may only be acquired with the consent of the owner of the lands or waters thereof: *And provided further*, That any parcel of land containing not more than five hundred acres, which borders either the Current River or the Jacks Fork River, and which is being primarily used for agricultural purposes, shall be acquired by the Secretary in its entirety unless the owner of any such parcel consents to the acquisition of a part thereof. Property so acquired which lies outside the boundary generally depicted on the map referred to in section 460m of this title may be exchanged by the Secretary for any land of approximately equal value within the boundaries. Lands and waters owned by the State of Missouri within such area may be acquired with the consent of the State and, notwithstanding any other provision of law, subject to provision for reversion to such State