

or the physiographic conditions now prevailing, and every effort shall be exerted to maintain and preserve this section of the seashore as well as that set forth in the preceding paragraph in as nearly their present state and condition as possible.

**(c) Utilization of authority for conservation and development of natural resources; user fees**

In administering, protecting, and developing the entire Fire Island National Seashore, the Secretary shall be guided by the provisions of sections 459e to 459e-9 of this title and the applicable provisions of the laws relating to the national park system, and the Secretary may utilize any other statutory authority available to him for the conservation and development of natural resources to the extent he finds that such authority will further the purposes of sections 459e to 459e-9 of this title. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

(Pub. L. 88-587, §7, Sept. 11, 1964, 78 Stat. 931; Pub. L. 95-625, title III, §322(c), Nov. 10, 1978, 92 Stat. 3489.)

AMENDMENTS

1978—Subsec. (b). Pub. L. 95-625 substituted “Ocean Ridge portion of Davis Park” for “Brookhaven town park at”.

**§ 459e-7. Shore erosion control or beach protection measures; Fire Island inlet**

**(a) Authority of Chief of Engineers**

The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures on lands within the Fire Island National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of sections 459e to 459e-9 of this title.

**(b) Land contribution**

The Secretary shall also contribute the necessary land which may be required at any future date for the construction of one new inlet across Fire Island in such location as may be feasible in accordance with plans for such an inlet which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of sections 459e to 459e-9 of this title.

(Pub. L. 88-587, §8, Sept. 11, 1964, 78 Stat. 932.)

**§ 459e-8. Omitted**

CODIFICATION

Section, Pub. L. 88-587, §9, Sept. 11, 1964, 78 Stat. 932, which provided for the creation of a Fire Island National Seashore Advisory Commission, has been omitted as executed in view of a provision of subsec. (a) that the Commission terminate on Sept. 11, 1974, or on the declaration of the establishment of the Fire Island National Seashore, whichever occurs first.

**§ 459e-9. Authorization of appropriations**

There is hereby authorized to be appropriated not more than \$23,000,000 for the acquisition of

lands and interests in land pursuant to sections 459e to 459e-9 of this title, and, after December 23, 1980, not more than \$500,000 for development.

(Pub. L. 88-587, §10, Sept. 11, 1964, 78 Stat. 933; Pub. L. 94-578, title I, §101(5), Oct. 21, 1976, 90 Stat. 2732; Pub. L. 95-625, title III, §322(d), Nov. 10, 1978, 92 Stat. 3489; Pub. L. 96-585, §1(e), Dec. 23, 1980, 94 Stat. 3379.)

AMENDMENTS

1980—Pub. L. 96-585 inserted provision authorizing \$500,000 appropriation for development.

1978—Pub. L. 95-625 substituted “\$23,000,000” for “\$18,000,000”.

1976—Pub. L. 94-578 substituted “\$18,000,000” for “\$16,000,000”.

**§ 459e-10. Authority to accept donation of William Floyd Estate**

The Secretary of the Interior is authorized to accept the donation of approximately six hundred and eleven acres of lands, submerged lands, islands, and marshlands or interests therein, known as the William Floyd Estate, located in the town of Brookhaven, county of Suffolk, and State of New York, delineated on a certain map entitled “Map of the Fire Island National Seashore, Including the William Floyd Estate”, numbered OGP-0003, dated May 1965, which map or a true copy thereof shall be filed with the Federal Register and may be examined in the offices of the Department of the Interior. Such donation may be accepted subject to such terms, covenants, and conditions as the Secretary finds will be in the public interest.

(Pub. L. 89-244, §1, Oct. 9, 1965, 79 Stat. 967.)

**§ 459e-11. Authority to accept donation of main dwelling on William Floyd Estate; lease-back of donated property**

The Secretary is also authorized to accept the donation of the main dwelling on said lands, which was the birthplace and residence of General William Floyd (a signer of the Declaration of Independence) and the furnishings therein and any outbuildings, subject to like terms, covenants, and conditions. The Secretary is authorized to lease said lands, dwellings, and outbuildings to the grantors thereof for a term of not more than twenty-five years, at \$1 per annum, and during the period of the leasehold the Secretary may provide protective custody for such property.

(Pub. L. 89-244, §2, Oct. 9, 1965, 79 Stat. 967.)

**§ 459e-12. Administration of property of William Floyd Estate; detached unit**

Upon expiration or surrender of the aforesaid lease the property shall become a detached unit of the Fire Island National Seashore, and shall be administered, protected, and developed in accordance with the laws applicable thereto subject, with respect to said main dwelling and the furnishings therein, to such terms, covenants, and conditions which the Secretary shall have accepted and approved upon the donation thereof as in the public interest.

(Pub. L. 89-244, §3, Oct. 9, 1965, 79 Stat. 967.)