

§ 460a-5. Acquisition of land contiguous to Blue Ridge or Natchez Trace Parkways

In order to consolidate, on the Blue Ridge Parkway and the Natchez Trace Parkway, the land forming each such parkway, to adjust ownership lines, and to eliminate hazardous crossings of and accesses to these parkways, the Secretary of the Interior is authorized to acquire, by purchase or exchange, land and interests in land contiguous to the parkways. In consummating exchanges under this section, the Secretary may transfer parkway land, interests therein, and easements: *Provided*, That the property rights so exchanged shall be approximately equal in value.

(Pub. L. 87-76, June 30, 1961, 75 Stat. 196.)

BLUE RIDGE PARKWAY AND TOWN OF BLOWING ROCK
LAND EXCHANGE

Pub. L. 111-167, May 24, 2010, 124 Stat. 1188, known as the Blue Ridge Parkway and Town of Blowing Rock Land Exchange Act of 2009, provided for land exchange between the National Park Service and the Town of Blowing Rock, North Carolina, by requiring the Secretary of the Interior to exchange approximately 20 acres of land within the boundary of the Blue Ridge Parkway, known as Blowing Rock Reservoir, for approximately 192 acres of land owned by the Town, known as Town of Blowing Rock Exchange Lands, not later than three years after May 24, 2010, and subject to applicable laws and certain terms and conditions and to equalization of land values, adjustment of the boundary of the Blue Ridge Parkway, administration of lands acquired by the Secretary, and future disposition of the reservoir property.

LAND EXCHANGE IN GREAT SMOKY MOUNTAINS
NATIONAL PARK

Pub. L. 108-108, title I, § 138, Nov. 10, 2003, 117 Stat. 1271, known as the Eastern Band of Cherokee Indians Land Exchange Act of 2003, provided for land exchange between National Park Service and Eastern Band of Cherokee Indians, by directing Secretary of the Interior to exchange the Ravensford tract, in the Great Smoky Mountains National Park and the Blue Ridge Parkway, for the Yellow Face tract adjacent to the Waterrock Knob Visitor Center on the Blue Ridge Parkway; stated congressional findings and purposes for such land exchange; contained descriptions and provision relating to treatment of exchanged lands; set forth implementation process; and prohibited gaming on the Ravensford tract.

§ 460a-6. Blue Ridge Parkway extension; acceptance of lands; public use, administration, and maintenance areas; survey location of parkway extension crossing national forest land; transfer from Federal agency to administrative jurisdiction of Secretary of the Interior; national forest uses following transfer within national forest

The Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land and interests in land in the States of North Carolina and Georgia, to construct thereon an extension of the Blue Ridge Parkway from the vicinity of Beech Gap, North Carolina, to the vicinity of Kennesaw Mountain National Battlefield Park north of Atlanta and Marietta, Georgia, and to provide public use, administration, and maintenance areas in connection therewith. The lands accepted for the parkway extension may vary in width but shall average

not more than one hundred and twenty-five acres per mile in fee simple plus not more than twenty-five acres per mile in scenic easements. The survey location and width of any portion of the parkway extension that crosses national forest land shall be jointly determined by the Secretary of the Interior and the Secretary of Agriculture. Where the parkway extension designated by the Secretary of the Interior traverses Federal lands, the head of the department or agency having jurisdiction over such lands is authorized to transfer to the Secretary of the Interior the part of the Federal lands mutually agreed upon as necessary for the construction, maintenance and administration of the parkway extension and public use thereof, without transfer of funds. Any such transfer within a national forest shall not preclude any national forest use that is compatible with parkway use and that is agreed upon by the Secretary of the Interior and the Secretary of Agriculture.

(Pub. L. 90-555, § 1, Oct. 9, 1968, 82 Stat. 967.)

§ 460a-7. Coordination of recreational development on parkway and national forest lands; administration of forest land recreational facilities and access road development by Secretary of Agriculture; forest road and Appalachian Trail relocation and reconstruction and alternative forest road provision by Secretary of the Interior

To effectuate the recommendations in the report to the Congress on the North Carolina-Georgia extension of the Blue Ridge Parkway, made pursuant to the Act of August 10, 1961 (75 Stat. 337)—

(1) The Secretary of the Interior and the Secretary of Agriculture shall, insofar as practicable, coordinate and correlate recreational development on lands within the parkway and adjacent or related national forests land: *Provided*, That within national forest boundaries recreational developments and facilities on Federal lands other than those actually within the national parkway shall be administered by the Secretary of Agriculture;

(2) Upon the request of the Secretary of Agriculture, the Secretary of the Interior shall relocate and reconstruct any national forest roads that may be disturbed by the parkway extension, or provide alternative roads that are necessary to the protection, administration, or utilization of the national forests, and shall allow access to areas to be developed by the Secretary of Agriculture on adjacent national forest lands unless to do so will materially impair the primary purposes of the parkway;

(3) The Secretary of the Interior may relocate and reconstruct portions of the Appalachian Trail, including trail shelters, that may be disturbed by the parkway extension and such relocation and reconstruction may be performed (A) on non-Federal lands when the Appalachian Trail Conference obtains the consent of the owner to the use of the lands for the purpose and agrees to assume maintenance thereof, and (B) upon national forest lands with the approval of the Secretary of Agriculture.

(Pub. L. 90-555, § 2, Oct. 9, 1968, 82 Stat. 968.)

REFERENCES IN TEXT

Act of August 10, 1961, referred to in text, is Pub. L. 87-135, Aug. 10, 1961, 75 Stat. 337, which was not classified to the Code.

§ 460a-8. Licenses or permits for rights-of-way over parkway lands

The Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, or for such purposes and under such terms and conditions as he may determine to be consistent with the use of such lands for parkway purposes.

(Pub. L. 90-555, § 3, Oct. 9, 1968, 82 Stat. 968.)

§ 460a-9. Part of Blue Ridge Parkway; administration and maintenance of parkway extension

The parkway extension herein authorized shall be a part of the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior in accordance with the laws and regulations applicable thereto, including section 460a-4 of this title.

(Pub. L. 90-555, § 4, Oct. 9, 1968, 82 Stat. 968.)

§ 460a-10. Transfer of national forest lands to Secretary of Agriculture

With the concurrence of the Secretary of Agriculture the Secretary of the Interior may transfer to the Secretary of Agriculture for national forest purposes lands or interests in lands within national forests acquired for, or in connection with, the parkway extension.

(Pub. L. 90-555, § 5, Oct. 9, 1968, 82 Stat. 968.)

§ 460a-11. Authorization of appropriations

There is hereby authorized to be appropriated, for construction of the Blue Ridge Parkway extension, not more than \$87,536,000, plus or minus such amounts, if any, as may be justified by reason of fluctuations in construction costs as indicated by engineering cost indices applicable to the type of construction involved herein.

(Pub. L. 90-555, § 6, Oct. 9, 1968, 82 Stat. 968.)

§§ 460b, 460c. Repealed. Pub. L. 85-767, § 2 [19, 21, 23, 33], Act. 27, 1958, 72 Stat. 919

Section 460b, acts June 16, 1936, ch. 582, § 5, 49 Stat. 1520; June 8, 1938, ch. 328, § 8, 52 Stat. 635; Sept. 5, 1940, ch. 715, § 9, 54 Stat. 870, related to determination of location of parkways upon public lands, national forests, or other Federal reservations.

Section 460c, act Sept. 7, 1950, ch. 912, § 4(b), 64 Stat. 787, related to administration of parkway appropriations.

SUBCHAPTER LXVI—PUBLIC PARK AND RECREATIONAL FACILITIES AT WATER RESOURCE DEVELOPMENT PROJECTS

§ 460d. Construction and operation of public parks and recreational facilities in water resource development projects; lease of lands; preference for use; penalty; application of section 3401 of title 18; citations and arrests with and without process; limitations; disposition of receipts

The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to construct, maintain, and operate public park and recreational facilities at water resource development projects under the control of the Department of the Army, to permit the construction of such facilities by local interests (particularly those to be operated and maintained by such interests), and to permit the maintenance and operation of such facilities by local interests. The Secretary of the Army is also authorized to grant leases of lands, including structures or facilities thereon, at water resource development projects for such periods, and upon such terms and for such purposes as he may deem reasonable in the public interest: *Provided*, That leases to nonprofit organizations for park or recreational purposes may be granted at reduced or nominal considerations in recognition of the public service to be rendered in utilizing the leased premises: *Provided further*, That preference shall be given to federally recognized Indian tribes and Federal, State, or local governmental agencies, and licenses or leases where appropriate, may be granted without monetary considerations, to such Indian tribes or agencies for the use of all or any portion of a project area for any public purpose, when the Secretary of the Army determines such action to be in the public interest, and for such periods of time and upon such conditions as he may find advisable: *And provided further*, That in any such lease or license to a federally recognized Indian tribe¹ Federal, State, or local governmental agency which involves lands to be utilized for the development and conservation of fish and wildlife, forests, and other natural resources, the licensee or lessee may be authorized to cut timber and harvest crops as may be necessary to further such beneficial uses and to collect and utilize the proceeds of any sales of timber and crops in the development, conservation, maintenance, and utilization of such lands. Any balance of proceeds not so utilized shall be paid to the United States at such time or times as the Secretary of the Army may determine appropriate. The water areas of all such projects shall be open to public use generally for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such areas along the shores of such projects shall be maintained for general public use, when such use is determined by the Secretary of the Army not to be contrary to the public interest, all under such rules and regulations as the Secretary of the Army may deem necessary, including but not limited to prohibitions of dumping and unauthorized disposal in any manner of

¹ So in original.