

Stat. 919; renumbered §7 and amended Pub. L. 91-223, §§1, 2(c), Apr. 3, 1970, 84 Stat. 90; renumbered §8, Pub. L. 94-544, §4(b), Oct. 18, 1976, 90 Stat. 2515; renumbered §8, Pub. L. 94-567, §7(b), Oct. 20, 1976, 90 Stat. 2695; renumbered §9, Pub. L. 95-625, title III, §318(e), Nov. 10, 1978, 92 Stat. 3487; amended Pub. L. 95-625, title III, §318(f), as added Pub. L. 96-199, title I, §101(a)(5), Mar. 5, 1980, 94 Stat. 67.)

## REFERENCES IN TEXT

The Act of October 9, 1965, referred to in text, is Pub. L. 89-249, Oct. 9, 1965, 79 Stat. 969, known as the National Park System Concessions Policy Act, which enacted subchapter IV (§20 et seq.) of this chapter and amended section 462 of this title, prior to being repealed by Pub. L. 105-391, title IV, §415(a), Nov. 13, 1998, 112 Stat. 3515.

Sums "heretofore" authorized by this section, referred to in text, means sums authorized by this section prior to the enactment on Mar. 5, 1980, of Pub. L. 96-199, which added the authorization for a \$5,000,000 appropriation for the acquisition of lands or interest in lands.

## CODIFICATION

Section 4(b) of Pub. L. 94-544 and section 7(b) of Pub. L. 94-567 identically renumbered this section as section 8 of Pub. L. 87-657.

## AMENDMENTS

1980—Pub. L. 96-199 inserted provisions authorizing an appropriation of \$5,000,000 for the acquisition of lands or interests therein.

1970—Pub. L. 91-223, §1, substituted "\$57,500,000" for "\$19,135,000", restricted conveyances of any interest in any lands acquired after April 3, 1970, only for public accommodations, facilities, and services under provisions for concessions in areas administered by National Park Service.

1966—Pub. L. 89-666 substituted "\$19,135,000" for "\$14,000,000".

#### § 459d. Padre Island National Seashore; description of land and waters

In order to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped, the Secretary of the Interior shall take appropriate action in the public interest toward the establishment of the following described lands and waters as the Padre Island National Seashore: Beginning at a point one statute mile northerly of North Bird Island on the easterly line of the Intracoastal Waterway; thence due east to a point on Padre Island one statute mile west of the mean high water line of the Gulf of Mexico; thence southwesterly paralleling the said mean high water line of the Gulf of Mexico a distance of about three and five-tenths statute miles; thence due east to the two-fathom line on the east side of Padre Island as depicted on National Ocean Survey chart numbered 1286; thence along the said two-fathom line on the east side of Padre Island as depicted on National Ocean Survey charts numbered 1286, 1287, and 1288 to the Willacy-Cameron County line extended; thence westerly along said county line to a point 1,500 feet west of the mean high water line of the Gulf of Mexico as that line was determined by the survey of J. S. Boyles and is depicted on sections 9 and 10 of the map entitled "Survey of Padre Island made for the office of the Attorney General

of the State of Texas", dated August 7 to 11, 1941, and August 11, 13, and 14, 1941, respectively; thence northerly along a line parallel to said survey line of J. S. Boyles and distant therefrom 1,500 feet west to a point on the centerline of the Port Mansfield Channel; thence westerly along said centerline to a point three statute miles west of the said two-fathom line; thence northerly parallel with said two-fathom line to 27 degrees 20 minutes north latitude; thence westerly along said latitude to the easterly line of the Intracoastal Waterway; thence northerly following the easterly line of the Intracoastal Waterway as indicated by channel markers in the Laguna Madre to the point of beginning.

(Pub. L. 87-712, §1, Sept. 28, 1962, 76 Stat. 650.)

## CHANGE OF NAME

Coast and Geodetic Survey consolidated with National Weather Bureau in 1965 to form Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318. Environmental Science Services Administration abolished in 1970 and its personnel, property, records, etc., transferred to National Oceanic and Atmospheric Administration by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090. By order of Acting Associate Administrator of National Oceanic and Atmospheric Administration, 35 F.R. 19249, Dec. 19, 1970, Coast and Geodetic Survey redesignated National Ocean Survey. See notes under section 311 of Title 15, Commerce and Trade.

#### § 459d-1. Acquisition of property

##### (a) Authority of Secretary; manner and place; concurrence of State owner; transfer from Federal agency to administrative jurisdiction of Secretary

The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropriated funds, condemnation, transfer from any Federal agency, exchange, or otherwise, the land, waters, and other property, and improvements thereon and any interest therein, within the areas described in section 459d of this title or which lie within the boundaries of the seashore as established under section 459d-2 of this title (hereinafter referred to as "such area"). Any property, or interest therein, owned by the State of Texas or political subdivision thereof may be acquired only with the concurrence of such owner. 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 sections 459d to 459d-7 of this title.

##### (b) Fair market value; appraisal

The Secretary is authorized to pay for any acquisitions which he makes by purchase under sections 459d to 459d-7 of this title their fair market value, as determined by the Secretary, who may in his discretion base his determination on an independent appraisal obtained by him.

##### (c) Exchange of property; cash equalization payments

In exercising his authority to acquire property by exchange, the Secretary may accept title to