

to protect the values enumerated in subsection (c) of this section, may acquire such lands, servitudes, or interests in lands within the park protection zone as he deems necessary to protect the values enumerated in subsection (c) of this section.

“(f) The Secretary may revise the boundaries of the park protection zone, notwithstanding any other provision of law, to include or exclude properties, but only with the consent of Jefferson Parish.”

Subsec. (g). Pub. L. 111–11, §7105(b)(3), redesignated subsec. (g) as (d).

1988—Subsec. (g). Pub. L. 100–250 added subsec. (g).

1979—Subsec. (a). Pub. L. 96–87 substituted “eight thousand six hundred acres” for “eight thousand acres”.

“SECRETARY” DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95–625, set out as a note under section 45f of this title.

§ 230b. Owner’s retention of right of use and occupancy for residential purposes for life or fixed term of years; election of term; fair market value; transfer, assignment or termination; “improved property” defined

Within the Barataria Preserve Unit, the owner or owners of improved property used for noncommercial residential purposes on a year-round basis may, as a condition of the acquisition of such property by the Secretary, elect to retain a right of use and occupancy of such property for noncommercial residential purposes if, in the judgment of the Secretary, the continued use of such property for a limited period would not unduly interfere with the development or management of the park. Such right of use and occupancy may be either a period ending on the death of the owner or his spouse, whichever occurs last, or a term of not more than twenty-five years, at the election of the owner. Unless the property is donated, the Secretary shall pay to the owner the fair market value of the property less the fair market value of the right retained by the owner. Such right may be transferred or assigned and may be terminated by the Secretary, if he finds that the property is not used for noncommercial residential purposes, upon tender to the holder of the right an amount equal to the fair market value of the unexpired term. As used in this section, the term “improved property” means a single-family, year-round dwelling, the construction of which was begun before January 1, 1977 (or January 1, 2007, for areas added to the park after that date), which serves as the owner’s permanent place of abode at the time of its acquisition by the United States, together with not more than three acres of land on which the dwelling and appurtenant buildings are located which the Secretary finds is reasonably necessary for the owner’s continued use and occupancy of the dwelling.

(Pub. L. 95–625, title IX, §903, Nov. 10, 1978, 92 Stat. 3536; Pub. L. 111–11, title VII, §7105(c), (f)(2)(A), Mar. 30, 2009, 123 Stat. 1192, 1193.)

AMENDMENTS

2009—Pub. L. 111–11 substituted “Barataria Preserve Unit” for “Barataria Marsh Unit” in first sentence and inserted “(or January 1, 2007, for areas added to the park after that date)” after “January 1, 1977” in fifth sentence.

“SECRETARY” DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95–625, set out as a note under section 45f of this title.

§ 230c. Cooperative agreements; specific provisions

In furtherance of the purposes of this part, and after consultation with the Commission created by section 230f of this title, the Secretary is authorized to enter into cooperative agreements with the owners of properties of natural, historical, or cultural significance, including but not limited to the resources described in paragraphs (1) through (5)¹ of section 230 of this title, pursuant to which the Secretary may mark, interpret, restore and/or provide technical assistance for the preservation and interpretation of such properties, and pursuant to which the Secretary may provide assistance including management services, program implementation, and incremental financial assistance in furtherance of the standards for administration of the park pursuant to section 230e of this title. Such agreements shall contain, but need not be limited to, provisions that the Secretary, through the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors through such properties and interpreting them to the public, and that no changes or alterations shall be made in such properties except by mutual agreement between the Secretary and the other parties to such agreements. The agreements may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, interpretation, and maintenance of such properties.

(Pub. L. 95–625, title IX, §904, Nov. 10, 1978, 92 Stat. 3536; Pub. L. 96–87, title IV, §401(q)(2), Oct. 12, 1979, 93 Stat. 666.)

REFERENCES IN TEXT

Paragraphs (4) and (5) of section 230 of this title, included within the reference in text to paragraphs (1) through (5) of section 230 of this title, were redesignated paragraphs (5) and (6), respectively, of section 230 of this title, and a new paragraph (4) was added, by Pub. L. 100–250, §1(a), Feb. 16, 1988, 102 Stat. 16.

AMENDMENTS

1979—Pub. L. 96–87 substituted reference to “section 907 of this title” for reference to “section 7 of this title” in the original. Since “section 7 of this title” had already been translated as “section 230f of this title” as the probable intent of Congress the substitution of “907” for “7” required no change in text as set out in this section.

“SECRETARY” DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95–625, set out as a note under section 45f of this title.

§ 230d. Hunting, fishing, and trapping; public safety; consultation

Within the Barataria Preserve Unit, the Secretary shall permit hunting, fishing (including commercial fishing), and trapping in accordance

¹ See References in Text note below.