

water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), on or directly affecting the Buffalo National River and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river is established, as determined by the Secretary. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above the Buffalo National River or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on March 1, 1972. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river is established, as determined by the Secretary, nor shall such department or agency request appropriations to begin construction on any such project, whether heretofore or hereafter authorized, without, at least sixty days in advance, (i) advising the Secretary, in writing, of its intention so to do and (ii) reporting to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, respectively, the nature of the project involved and the manner in which such project would conflict with the purposes of this subchapter or would affect the national river and the values to be protected by it under this subchapter.

(Pub. L. 92-237, § 4, Mar. 1, 1972, 86 Stat. 45; Pub. L. 95-91, title IV, § 402(a)(1)(A), Aug. 4, 1977, 91 Stat. 583; Pub. L. 103-437, § 6(n)(1), Nov. 2, 1994, 108 Stat. 4586.)

REFERENCES IN TEXT

The Federal Power Act, referred to in text, is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, which is classified generally to chapter 12 (§ 791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

AMENDMENTS

1994—Pub. L. 103-437 substituted “Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate” for “Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate”.

TRANSFER OF FUNCTIONS

“Federal Energy Regulatory Commission” substituted for “Federal Power Commission” in text pursuant to Pub. L. 95-91, § 402(a)(1)(A), which is classified to section 7172(a)(1)(A) of Title 42, The Public Health and Welfare.

Federal Power Commission terminated and functions, personnel, property, funds, etc., transferred to Secretary of Energy (except for certain functions transferred to Federal Energy Regulatory Commission) by sections 7151(b), 7171(a), 7172(a), 7291, and 7293 of Title 42.

§ 460m-12. Administration, protection, and development

The Secretary shall administer, protect, and develop the Buffalo National River in accord-

ance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.),¹ as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this subchapter.

(Pub. L. 92-237, § 5, Mar. 1, 1972, 86 Stat. 45.)

REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), referred to in text, is act Aug. 25, 1916, ch. 408, 39 Stat. 535, known as the National Park Service Organic Act, which enacted sections 1, 2, 3, and 4 of this title and provisions set out as a note under section 100101 of Title 54, National Park Service and Related Programs. Sections 1 to 4 of the Act were repealed and restated as section 1865(a) of Title 18, Crimes and Criminal Procedure, and section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of Title 54 by Pub. L. 113-287, §§ 3, 4(a)(1), 7, Dec. 19, 2014, 128 Stat. 3094, 3260, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

§ 460m-13. Suitability for preservation as a wilderness; area review and report to President

Within three years from March 1, 1972, the Secretary shall review the area within the boundaries of the national river and shall report to the President, in accordance with section 1132(c) and (d) of this title, his recommendation as to the suitability or nonsuitability of any area within the national river for preservation as a wilderness, and any designation of any such area as a wilderness, shall be accomplished in accordance with said section 1132(c) and (d) of this title.

(Pub. L. 92-237, § 6, Mar. 1, 1972, 86 Stat. 46.)

§ 460m-14. Authorization of appropriations

For the acquisition of lands and interests in lands, there are authorized to be appropriated not more than \$39,948,000. For development of the national river, there are authorized to be appropriated not to exceed \$9,371,000.

(Pub. L. 92-237, § 7, Mar. 1, 1972, 86 Stat. 46; Pub. L. 94-578, title I, § 101(3), title III, § 310, Oct. 21, 1976, 90 Stat. 2732, 2736; Pub. L. 95-625, title II, § 201(2), Nov. 10, 1978, 92 Stat. 3473.)

AMENDMENTS

1978—Pub. L. 95-625 increased land acquisition appropriations authorization to \$39,948,000 from \$30,071,500.

1976—Pub. L. 94-578 substituted “\$30,071,500” for “\$16,115,000” in provision covering the acquisition of lands and interests in lands and substituted “For development of the national river, there are authorized to be appropriated not to exceed \$9,371,000” for “For development of the national river, there are authorized to be appropriated not more than \$283,000 in fiscal year 1974; \$2,923,000 in fiscal year 1975; \$3,643,000 in fiscal year 1976; \$1,262,000 in fiscal year 1977; and \$1,260,000 in fiscal year 1978. The sums appropriated each year shall remain available until expended”.

¹ See References in Text note below.

SUBCHAPTER LXXI-A—NEW RIVER GORGE
NATIONAL RIVER

CODIFICATION

Title XI of Pub. L. 95-625, which enacted this subchapter, was editorially reclassified as subchapter LIX-CCC (§410eeee et seq.) of this chapter.

§§ 460m-15 to 460m-30. Transferred

CODIFICATION

Section 460m-15, Pub. L. 95-625, title XI, §1101, Nov. 10, 1978, 92 Stat. 3544; Pub. L. 100-534, title I, §101, Oct. 26, 1988, 102 Stat. 2700; Pub. L. 104-333, div. I, title IV, §406(a)(1), Nov. 12, 1996, 110 Stat. 4149; Pub. L. 107-356, §2(a), Dec. 17, 2002, 116 Stat. 3013, which established the New River Gorge National River, was transferred to section 410eeee-1 of this title.

Section 460m-16, Pub. L. 95-625, title XI, §1102, Nov. 10, 1978, 92 Stat. 3545; Pub. L. 99-500, §101(h) [title I, §116(a)], Oct. 18, 1986, 100 Stat. 1783-242, 1783-266, and Pub. L. 99-591, §101(h) [title I, §116(a)], Oct. 30, 1986, 100 Stat. 3341-242, 3341-266; Pub. L. 99-590, title X, §1001, Oct. 30, 1986, 100 Stat. 3339, which related to acquisition of property, was transferred to section 410eeee-2 of this title.

Section 460m-17, Pub. L. 95-625, title XI, §1103, Nov. 10, 1978, 92 Stat. 3546, which related to submission of lands and areas plan, was transferred to section 410eeee-3 of this title.

Section 460m-18, Pub. L. 95-625, title XI, §1104, Nov. 10, 1978, 92 Stat. 3546, which related to zoning laws and ordinances, was transferred to section 410eeee-4 of this title.

Section 460m-19, Pub. L. 95-625, title XI, §1105, Nov. 10, 1978, 92 Stat. 3546, which related to prohibition and limitation of mining, was transferred to section 410eeee-5 of this title.

Section 460m-20, Pub. L. 95-625, title XI, §1106, Nov. 10, 1978, 92 Stat. 3547; Pub. L. 104-333, div. I, title IV, §406(a)(2), Nov. 12, 1996, 110 Stat. 4149; Pub. L. 111-11, title VII, §7115, Mar. 30, 2009, 123 Stat. 1202, which related to hunting and fishing zones, was transferred to section 410eeee-6 of this title.

Section 460m-21, Pub. L. 95-625, title XI, §1107, Nov. 10, 1978, 92 Stat. 3547, which related to prohibition of project works, was transferred to section 410eeee-7 of this title.

Section 460m-22, Pub. L. 95-625, title XI, §1109, Nov. 10, 1978, 92 Stat. 3548, which related development and submission of general management plan, was transferred to section 410eeee-8 of this title.

Section 460m-23, Pub. L. 95-625, title XI, §1110, Nov. 10, 1978, 92 Stat. 3548, which related to cooperation between the Secretaries of the Army and Interior, was transferred to section 410eeee-9 of this title.

Section 460m-24, Pub. L. 95-625, title XI, §1111, Nov. 10, 1978, 92 Stat. 3548, which related to class I or class II redesignation for clean air purposes, was transferred to section 410eeee-10 of this title.

Section 460m-25, Pub. L. 95-625, title XI, §1112, Nov. 10, 1978, 92 Stat. 3548; Pub. L. 99-500, §101(h) [title I, §116(b)], Oct. 18, 1986, 100 Stat. 1783-242, 1783-266, and Pub. L. 99-591, §101(h) [title I, §116(b)], Oct. 30, 1986, 100 Stat. 3341-242, 3341-266; Pub. L. 99-590, title X, §1002, Oct. 30, 1986, 100 Stat. 3340, which authorized appropriations, was transferred to section 410eeee-11 of this title.

Section 460m-26, Pub. L. 95-625, title XI, §1113, as added Pub. L. 100-534, title I, §102, Oct. 26, 1988, 102 Stat. 2700, which related to cooperative agreements with State, was transferred to section 410eeee-12 of this title.

Section 460m-27, Pub. L. 95-625, title XI, §1114, as added Pub. L. 100-534, title I, §103, Oct. 26, 1988, 102 Stat. 2700, which related to improvement of access at Cunard, was transferred to section 410eeee-13 of this title.

Section 460m-28, Pub. L. 95-625, title XI, §1115, as added Pub. L. 100-534, title I, §104, Oct. 26, 1988, 102 Stat. 2701, which related to flow management, was transferred to section 410eeee-14 of this title.

Section 460m-29, Pub. L. 95-625, title XI, §1116, as added Pub. L. 100-534, title I, §105, Oct. 26, 1988, 102 Stat. 2702, which related to Glade Creek visitor facility, was transferred to section 410eeee-15 of this title.

Section 460m-29a, Pub. L. 104-333, div. I, title IV, §406(b), Nov. 12, 1996, 110 Stat. 4150, which related to New River Gorge and Gauley River Visitor Center, was transferred to section 410eeee-16 of this title.

Section 460m-30, Pub. L. 95-625, title XI, §1117, as added Pub. L. 104-333, div. I, title IV, §406(a)(3), Nov. 12, 1996, 110 Stat. 4150, which related to applicable provisions of other law, was transferred to section 410eeee-17 of this title.

SUBCHAPTER LXXII—LAKE MEAD
NATIONAL RECREATION AREA

§ 460n. Administration

In recognition of the national significance of the Lake Mead National Recreation Area, in the States of Arizona and Nevada, and in order to establish a more adequate basis for effective administration of such area for the public benefit, the Secretary of the Interior hereafter may exercise the functions and carry out the activities prescribed by this subchapter.

(Pub. L. 88-639, §1, Oct. 8, 1964, 78 Stat. 1039.)

§ 460n-1. Boundaries of area; filing of map with
Federal Register; revision; donations of land;
property acquisition and exclusion

Lake Mead National Recreation Area shall comprise that particular land and water area which is shown on a certain map, identified as "boundary map, RA-LM-7060-B, revised July 17, 1963", which is on file and which shall be available for public inspection in the office of the National Park Service of the Department of the Interior. An exact copy of such map shall be filed with the Federal Register within thirty days following October 8, 1964, and an exact copy thereof shall be available also for public inspection in the headquarters office of the superintendent of the said Lake Mead National Recreation Area.

The Secretary of the Interior is authorized to revise the boundaries of such national recreation area, subject to the requirement that the total acreage of that area, as revised, shall be no greater than the present acreage thereof. In the event of such boundary revision, maps of the recreation area, as revised, shall be prepared by the Department of the Interior, and shall be filed in the same manner, and shall be available for public inspection also in accordance with the aforesaid procedures and requirements relating to the filing and availability of maps. The Secretary may accept donations of land and interests in land within the exterior boundaries of such area, or such property may be procured by the Secretary in such manner as he shall consider to be in the public interest.

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within the boundaries of the recreation area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange