

Subsec. (f). Pub. L. 99-395, §1, struck out provision which had included a coordinated public and private access system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties among the allowable uses to which rental proceeds from Haslett Warehouse, Cliff House Properties and Louis' Restaurant were to be put, inserted in second proviso to the administration of the AFDL-38 Drydock and other vessels or heavy marine equipment, and inserted parenthetical in second proviso to include rental or lease of properties under management contracts into which the Secretary may enter.

1978—Subsecs. (e), (f). Pub. L. 95-625 added subsecs. (e) and (f).

#### Statutory Notes and Related Subsidiaries

##### FORT BAKER AGREEMENTS AND LEASES

Pub. L. 108-7, div. F, title I, §114, Feb. 20, 2003, 117 Stat. 239, as amended by Pub. L. 109-54, title I, §131, Aug. 2, 2005, 119 Stat. 525, provided that: "Notwithstanding any other provision of law, the Secretary of the Interior hereafter has ongoing authority to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b) [now 40 U.S.C. 1302], with any person, firm, association, organization, corporation, or governmental entity, for all or part of the property within Fort Baker administered by the Secretary as part of the Golden Gate National Recreation Area. In furtherance of a lease entered into under the first sentence, the Secretary of the Interior or a lessee may impose fees on overnight lodgers for the purpose of covering the cost of providing utilities and transportation services at Fort Baker properties at a rate not to exceed the annual cost of providing these services. The proceeds of the agreements or leases or any statutorily authorized fees, hereafter shall be retained by the Secretary and such proceeds shall remain available until expended, without further appropriation, for the preservation, restoration, operation, maintenance, interpretation, public programs, and related expenses of the National Park Service and nonprofit park partners incurred with respect to Fort Baker properties, including utility expenses of the National Park Service or lessees of the National Park Service."

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 106-291, title I, §115, Oct. 11, 2000, 114 Stat. 943.

Pub. L. 106-113, div. B, §1000(a)(3) [title I, §121], Nov. 29, 1999, 113 Stat. 1535, 1501A-159.

##### FORT BAKER GOLDEN GATE NATIONAL RECREATION AREA; TAX AND SPECIAL ASSESSMENT EXEMPTION

Pub. L. 106-113, div. B, §1000(a)(3) [title I, §120], Nov. 29, 1999, 113 Stat. 1535, 1501A-159, as amended by Pub. L. 111-88, div. A, title I, §123, Oct. 30, 2009, 123 Stat. 2932, provided that: "All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, hereafter shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the County of Marin and the City of Sausalito."

Similar provisions were contained in Pub. L. 105-277, div. A, §101(e) [title I, §150], Oct. 21, 1998, 112 Stat. 2681-231, 2681-268.

##### FEES OR ADMISSION CHARGES; MONEYS COLLECTED SINCE NOVEMBER 10, 1983

Pub. L. 99-395, §2(b), Aug. 27, 1986, 100 Stat. 836, provided that: "Notwithstanding any other provisions of law, moneys collected pursuant to section 4(e) of the Act of October 27, 1972 (16 U.S.C. 460bb-3; 92 Stat. 3486), since November 10, 1983, shall be deemed to have been collected in accordance with such section as amended by this Act."

#### § 460bb-4. Golden Gate National Recreation Area Advisory Commission

##### (a) Establishment

There is hereby established the Golden Gate National Recreation Area Advisory Commission (hereinafter referred to as the "Commission").

##### (b) Membership; appointment; term of office

The Commission shall be composed of eighteen members appointed by the Secretary for terms of five years each.<sup>1</sup> *Provided*, That the terms of those members who have been either appointed or reappointed subsequent to January 1, 1979, shall be extended so as to expire not before June 1, 1985.

##### (c) Vacancies

Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

##### (d) Compensation and expenses; vouchers

Members of the Commission shall serve without compensation, as such, but the Secretary may pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this subchapter.

##### (e) Consultations of Secretary with members

The Secretary, or his designee, shall from time to time, but at least annually, meet and consult with the Commission on general policies and specific matters related to planning, administration and development affecting the recreation area and other units of the national park system in Marin, San Mateo, and San Francisco Counties.

##### (f) Voting

The Commission shall act and advise by affirmative vote of a majority of the members thereof.

##### (g) Termination date

The Commission shall cease to exist thirty years after October 27, 1972.

(Pub. L. 92-589, §5, Oct. 27, 1972, 86 Stat. 1302; Pub. L. 95-625, title III, §317(g), Nov. 10, 1978, 92 Stat. 3486; Pub. L. 96-344, §4(2), (3), Sept. 8, 1980, 94 Stat. 1134; Pub. L. 96-607, title X, §1001(6), (7), Dec. 28, 1980, 94 Stat. 3545; Pub. L. 102-525, title III, §303, Oct. 26, 1992, 106 Stat. 3441.)

#### Editorial Notes

##### AMENDMENTS

1992—Subsec. (g). Pub. L. 102-525 substituted "thirty" for "twenty".

1980—Subsec. (b). Pub. L. 96-607, §1001(6), substituted "eighteen" for "seventeen".

Pub. L. 96-344, §4(2), substituted "five" for "three" and inserted proviso that the terms of members appointed or reappointed subsequent to Jan. 1, 1979, be extended so as not to expire before June 1, 1985.

Subsec. (e). Pub. L. 96-607, §1001(7), substituted "Marin, San Mateo," for "Marin".

Subsec. (g). Pub. L. 96-344, §4(3), substituted "twenty" for "ten".

1978—Subsec. (b). Pub. L. 95-625 increased Commission membership from fifteen to seventeen.

<sup>1</sup> So in original. The period probably should be a colon.

**§ 460bb-5. Authorization of appropriations; limitation; adjustments**

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter, but not more than \$61,610,000 plus \$15,500,000 shall be appropriated for the acquisition of lands and interests in lands. There are authorized to be appropriated not more than \$58,000,000 (May 1971 prices) for the development of the recreation area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the type of construction involved herein said total development ceiling to be reduced by \$10,000,000.

(Pub. L. 92-589, §6, Oct. 27, 1972, 86 Stat. 1303; Pub. L. 96-199, title I, §103(b), Mar. 5, 1980, 94 Stat. 68.)

**Editorial Notes**

AMENDMENTS

1980—Pub. L. 96-199 inserted “plus \$15,500,000” after “\$61,610,000” and “said total development ceiling to be reduced by \$10,000,000” after “type of construction involved herein”.

SUBCHAPTER LXXXVII—GATEWAY  
NATIONAL RECREATION AREA

**§ 460cc. Establishment**

In order to preserve and protect for the use and enjoyment of present and future generations an area possessing outstanding natural and recreational features, the Gateway National Recreation Area (hereinafter referred to as the “recreation area”) is hereby established.

**(a) Composition and boundaries**

The recreation area shall comprise the following lands, waters, marshes, and submerged lands in the New York Harbor area generally depicted on the map entitled “Boundary Map, Gateway National Recreation Area,” numbered 951-40017 sheets 1 through 3 and dated May, 1972:

- (1) Jamaica Bay Unit—including all islands, marshes, hassocks, submerged lands, and waters in Jamaica Bay, Floyd Bennett Field, the lands generally located between highway route 27A and Jamaica Bay, and the area of Jamaica Bay up to the shoreline of John F. Kennedy International Airport;
- (2) Breezy Point Unit—the entire area between the eastern boundary of Jacob Riis Park and the westernmost point of the peninsula;
- (3) Sandy Hook Unit—the entire area between Highway 36 Bridge and the northernmost point of the peninsula;
- (4) Staten Island Unit—including Great Kills Park, World War Veterans Park at Miller Field (except for approximately 26 acres which are to be made available for public school purposes), Fort Wadsworth, and the waterfront lands located between the streets designated as Cedar Grove Avenue, Seaside Boulevard, and Drury Avenue and the bay from Great Kills to Fort Wadsworth;
- (5) Hoffman and Swinburne Islands; and
- (6) All submerged lands, islands, and waters within one-fourth of a mile of the mean low

water line of any waterfront area included above.

**(b) Boundary revisions; notification of Congressional committees; publication in Federal Register**

The map referred to in this section shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate in writing, the Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(Pub. L. 92-592, §§1, 3(b)(2), Oct. 27, 1972, 86 Stat. 1308; Pub. L. 103-437, §6(n)(3), Nov. 2, 1994, 108 Stat. 4586; Pub. L. 106-132, §1(2), Dec. 7, 1999, 113 Stat. 1681.)

**Editorial Notes**

AMENDMENTS

1999—Subsec. (a)(4). Pub. L. 106-132 added Pub. L. 92-592, §3(b)(2). See 1972 Amendment note below.

1994—Subsec. (b). 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”.

1972—Subsec. (a)(4). Pub. L. 92-592, §3(b)(2), as added by Pub. L. 106-132, substituted “World War Veterans Park at Miller Field” for “Miller Field”.

**Statutory Notes and Related Subsidiaries**

DEKORTE STATE PARK; PROTECTION AND USE OF; STUDY FOR ESTABLISHMENT AS A UNIT OF THE NATIONAL PARK SYSTEM AND ADMINISTRATION AS UNIT OF GATEWAY NATIONAL RECREATION AREA; REPORT TO CONGRESSIONAL COMMITTEES; AUTHORIZATION OF APPROPRIATIONS

Pub. L. 96-442, §3, Oct. 13, 1980, 94 Stat. 1887, directed Secretary of the Interior to conduct a study to determine appropriate measures for protection, interpretation, and public use of natural wetlands and undeveloped uplands of that portion of Hackensack Meadowlands District identified as DeKorte State Park on official zoning maps of that District, with Secretary to consult with and seek advice of, representatives of interested local, State, and other Federal agencies, to determine suitability and feasibility of establishing the area as a unit of national park system, including its administration as a unit of Gateway National Recreation Area, together with alternative measures that could be undertaken to protect and interpret resources of area for public, and not later than two complete fiscal years from Oct. 13, 1980, to transmit a report of the study, including estimated development, operation, and maintenance costs of alternatives identified therein, to Senate Committee on Energy and Natural Resources and Committee on Interior and Insular Affairs of House of Representatives, together with his recommendations for such further legislation as may be appropriate, and authorized to be appropriated from amounts previously authorized to study lands for possible inclusion in national park system not to exceed \$150,000 to carry out provisions of this Act.