

area within the park and shall report to the President, in accordance with subsections 1132(c) and (d) of this title, his recommendation as to the suitability or nonsuitability of any area within the park for preservation as wilderness, and any designation of any such area as wilderness shall be accomplished in accordance with said subsections.

(Pub. L. 94-545, §4, Oct. 18, 1976, 90 Stat. 2518; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

REFERENCES IN TEXT

The effective date of this subchapter, referred to in text, probably means the date of enactment of Pub. L. 94-545, which was approved on Oct. 18, 1976.

CHANGE OF NAME

In text, “park” substituted for “monument” pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

§ 410jjj-4. Authorization of appropriations; general management plan

(a) In general

The Secretary may not expend more than \$35,500,000 from the Land and Water Conservation Fund for land acquisition nor more than \$500,000 for the development of essential facilities. The Secretary may expend such additional sums as are necessary from the Land and Water Conservation Fund for acquisition of lands described in section 410jjj(b) of this title.

(b) General management plan

Within three years from the effective date of this subchapter the Secretary shall, after consulting with the Governor of the State of South Carolina, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a general management plan for the use and development of the park consistent with the purposes of this subchapter, indicating:

(1) the lands and interests in lands adjacent or related to the park which are deemed necessary or desirable for the purposes of resource protection, scenic integrity, or management and administration of the area in furtherance of the purposes of this subchapter, and the estimated cost thereof;

(2) the number of visitors and types of public use within the park which can be accommodated in accordance with the protection of its resources;

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses.

(c) Authorization of appropriations

Notwithstanding subsection (a), there are authorized to be appropriated \$3,000,000 for construction and development within the park.

(Pub. L. 94-545, §5, Oct. 18, 1976, 90 Stat. 2518; Pub. L. 100-524, §6, Oct. 24, 1988, 102 Stat. 2607; Pub. L. 108-108, title I, §135, Nov. 10, 2003, 117 Stat. 1270.)

REFERENCES IN TEXT

The effective date of this subchapter, referred to in subsec. (b), probably means the date of enactment of Pub. L. 94-545, which was approved on Oct. 18, 1976.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-524, §6(a), inserted sentence at end relating to expenditure of additional sums for acquisition of lands.

Subsec. (c). Pub. L. 100-524, §6(b), added subsec. (c).

CHANGE OF NAME

In subsections (b) and (c), “park” substituted for “monument” pursuant to Pub. L. 108-108, §135, which is set out as a note under section 410jjj of this title and which redesignated the Congaree Swamp National Monument as the Congaree National Park.

Committee on Interior and Insular Affairs of the Senate abolished and replaced by Committee on Energy and Natural Resources of the Senate, effective Feb. 11, 1977. See Rule XXV of Standing Rules of the Senate, as amended by Senate Resolution No. 4 (popularly cited as the “Committee System Reorganization Amendments of 1977”), approved Feb. 4, 1977.

Committee on Interior and Insular Affairs of House of Representatives changed to Committee on Natural Resources of House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

SUBCHAPTER LIX-II—LEWIS AND CLARK NATIONAL HISTORICAL PARK

§ 410kkk. Definitions

As used in this subchapter:

(1) Park

The term “park” means the Lewis and Clark National Historical Park designated in section 410kkk-1 of this title.

(2) Secretary

The term “Secretary” means the Secretary of the Interior.

(Pub. L. 108-387, title I, §102, Oct. 30, 2004, 118 Stat. 2234.)

REFERENCES IN TEXT

This subchapter, referred to in introductory provisions, was in the original “this title”, meaning title I of Pub. L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note below and Tables.

SHORT TITLE

Pub. L. 108-387, title I, §101, Oct. 30, 2004, 118 Stat. 2234, provided that: “This title [enacting this subchapter and repealing sections 450mm to 450mm-3 of this title] may be cited as the ‘Lewis and Clark National Historical Park Designation Act’.”

§ 410kkk-1. Lewis and Clark National Historical Park

(a) Designation

In order to preserve for the benefit of the people of the United States the historic, cultural, scenic, and natural resources associated with the arrival of the Lewis and Clark Expedition in the lower Columbia River area, and for the purpose of commemorating the culmination and the winter encampment of the Lewis and Clark Expedition in the winter of 1805-1806 following its successful crossing of the North American Continent, there is designated as a unit of the National Park System the Lewis and Clark National Historical Park.

(b) Boundaries

The boundaries of the park are those generally depicted on the map entitled “Lewis and Clark

National Historical Park, Boundary Map”, numbered 405/80027, and dated December 2003, and which includes—

(1) lands located in Clatsop County, Oregon, which are associated with the winter encampment of the Lewis and Clark Expedition, known as Fort Clatsop and designated as the Fort Clatsop National Memorial by Public Law 85-435, including the site of the salt cairn (specifically, lot number 18, block 1, Cartwright Park Addition of Seaside, Oregon) used by that expedition and adjacent portions of the old trail which led overland from the fort to the coast;

(2) lands identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in this subsection; and

(3) lands located along the lower Columbia River in the State of Washington associated with the arrival of the Lewis and Clark Expedition at the Pacific Ocean in 1805, which are identified as “Station Camp”, “Clark’s Dismal Nitch”, and “Cape Disappointment” on the map referred to in this subsection.

(c) Acquisition of land

(1) Authorization

The Secretary is authorized to acquire land, interests in land, and improvements therein within the boundaries of the park, as identified on the map referred to in subsection (b), by donation, purchase with donated or appropriated funds, exchange, transfer from any Federal agency, or by such other means as the Secretary deems to be in the public interest.

(2) Consent of landowner required

The lands authorized to be acquired under paragraph (1) (other than corporately owned timberlands within the area identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in subsection (b)) may be acquired only with the consent of the owner.

(3) Acquisition of Fort Clatsop 2002 Addition Lands

If the owner of corporately owned timberlands within the area identified as “Fort Clatsop 2002 Addition Lands” on the map referred to in subsection (b) agrees to enter into a sale of such lands as a result of actual condemnation proceedings or in lieu of condemnation proceedings, the Secretary shall enter into a memorandum of understanding with the owner regarding the manner in which such lands shall be managed after acquisition by the United States.

(d) Cape Disappointment

(1) Transfer

Subject to valid rights (including withdrawals), the Secretary shall transfer to the Director of the National Park Service management of any Federal land at Cape Disappointment, Washington, that is within the boundary of the park.

(2) Withdrawn land

(A) Notice

The head of any Federal agency that has administrative jurisdiction over withdrawn land at Cape Disappointment, Washington,

within the boundary of the park shall notify the Secretary in writing if the head of the Federal agency does not need the withdrawn land.

(B) Transfer

On receipt of a notice under subparagraph (A), the withdrawn land shall be transferred to the administrative jurisdiction of the Secretary, to be administered as part of the park.

(3) Memorial to Thomas Jefferson

All withdrawals of the 20-acre parcel depicted as a “Memorial to Thomas Jefferson” on the map referred to in subsection (b) are revoked, and the Secretary shall establish a memorial to Thomas Jefferson on the parcel.

(4) Management of Cape Disappointment State Park land

The Secretary may enter into an agreement with the State of Washington providing for the administration by the State of the land within the boundary of the park known as “Cape Disappointment State Park”.

(e) Map availability

The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(Pub. L. 108-387, title I, §103, Oct. 30, 2004, 118 Stat. 2234.)

REFERENCES IN TEXT

Public Law 85-435, referred to in subsec. (b)(1), is Pub. L. 85-435, May 29, 1958, 72 Stat. 153, which enacted sections 450mm to 450mm-3 of this title and was repealed by Pub. L. 108-387, title I, §105(a), Oct. 30, 2004, 118 Stat. 2236. For complete classification of this Act to the Code, see Tables.

FORT CLATSOP NATIONAL MEMORIAL

Pub. L. 107-221, §2, Aug. 21, 2002, 116 Stat. 1333, provided that: “The Congress finds the following:

“(1) Fort Clatsop National Memorial is the only unit of the National Park System solely dedicated to the Lewis and Clark Expedition.

“(2) In 1805, the members of the Lewis and Clark Expedition built Fort Clatsop at the mouth of the Columbia River near Astoria, Oregon, and they spent 106 days at the fort waiting for the end of winter and preparing for their journey home.

“(3) In 1958, Congress enacted Public Law 85-435 [former sections 450mm to 450mm-3 of this title] authorizing the establishment of Fort Clatsop National Memorial for the purpose of commemorating the culmination, and the winter encampment, of the Lewis and Clark Expedition following its successful crossing of the North American continent.

“(4) The 1995 General Management Plan for Fort Clatsop National Memorial, prepared with input from the local community, recommends the expansion of the memorial to include the trail used by expedition members to access the Pacific Ocean from the fort and the shore and forest lands surrounding the fort and trail to protect their natural settings.

“(5) Expansion of Fort Clatsop National Memorial requires Federal legislation because the size of the memorial is currently limited by statute to 130 acres.

“(6) Congressional action to allow for the expansion of Fort Clatsop National Memorial to include the trail to the Pacific Ocean would be timely and appropriate before the start of the bicentennial celebration of the Lewis and Clark Expedition planned to take place during the years 2004 through 2006.”

[References to Fort Clatsop National Memorial considered to be references to Lewis and Clark National Historical Park, see section 410kkk-3 of this title.]

§ 410kkk-2. Administration

(a) In general

The park shall be administered by the Secretary in accordance with this subchapter and with laws generally applicable to units of the National Park System, including sections 1, 2, 3, and 4 of this title and sections 461 to 467 of this title.

(b) Management plan

Not later than 3 years after funds are made available for this purpose, the Secretary shall prepare an amendment to the General Management Plan for Fort Clatsop National Memorial to guide the management of the park.

(c) Cooperative management

In order to facilitate the presentation of a comprehensive picture of the Lewis and Clark Expedition's experiences in the lower Columbia River area and to promote more efficient administration of the sites associated with those experiences, the Secretary may enter into cooperative management agreements with appropriate officials in the States of Washington and Oregon in accordance with the authority provided under section 1a-2(l) of this title.

(Pub. L. 108-387, title I, §104, Oct. 30, 2004, 118 Stat. 2236.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original "this title", meaning title I of Pub. L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note set out under section 410kkk of this title and Tables.

§ 410kkk-3. References

Any reference in any law (other than this subchapter), regulation, document, record, map or other paper of the United States to "Fort Clatsop National Memorial" shall be considered a reference to the "Lewis and Clark National Historical Park".

(Pub. L. 108-387, title I, §105(b), Oct. 30, 2004, 118 Stat. 2236.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this title", meaning title I of Pub. L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note set out under section 410kkk of this title and Tables.

§ 410kkk-4. Private property protection

(a) Access to private property

Nothing in this subchapter shall be construed to—

- (1) require any private property owner to permit public access (including Federal, State, or local government access) to such private property; or
- (2) modify any provision of Federal, State, or local law with regard to public access to or use of private lands.

(b) Liability

Designation of the park shall not be considered to create any liability, or to have any effect on any liability under any other law, of any private property owner with respect to any persons injured on such private property.

(c) Recognition of authority to control land use

Nothing in this subchapter shall be construed to modify any authority of Federal, State, or local governments to regulate the use of private land within the boundary of the park.

(Pub. L. 108-387, title I, §106, Oct. 30, 2004, 118 Stat. 2236.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a) and (c), was in the original "this title", meaning title I of Pub. L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note set out under section 410kkk of this title and Tables.

§ 410kkk-5. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this subchapter.

(Pub. L. 108-387, title I, §107, Oct. 30, 2004, 118 Stat. 2236.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this title", meaning title I of Pub. L. 108-387, Oct. 30, 2004, 118 Stat. 2234, which is classified principally to this subchapter. For complete classification of title I to the Code, see Short Title note set out under section 410kkk of this title and Tables.

SUBCHAPTER LIX-JJ—PATERSON GREAT FALLS NATIONAL HISTORICAL PARK

§ 410III. Paterson Great Falls National Historical Park, New Jersey

(a) Definitions

In this section:

(1) City

The term "City" means the City of Paterson, New Jersey.

(2) Commission

The term "Commission" means the Paterson Great Falls National Historical Park Advisory Commission established by subsection (e)(1).

(3) Historic District

The term "Historic District" means the Great Falls Historic District in the State.

(4) Management plan

The term "management plan" means the management plan for the Park developed under subsection (d).

(5) Map

The term "Map" means the map entitled "Paterson Great Falls National Historical Park—Proposed Boundary", numbered T03/80,001, and dated May 2008.

(6) Park

The term "Park" means the Paterson Great Falls National Historical Park established by subsection (b)(1)(A).