

transferred to Federal Energy Regulatory Commission by sections 7172(a)(1)(A) and 7293 of Title 42.

SUBCHAPTER XC—CUYAHOGA VALLEY
NATIONAL PARK

§ 460ff. Establishment

For the purpose of preserving and protecting for public use and enjoyment, the historic, scenic, natural, and recreational values of the Cuyahoga River and the adjacent lands of the Cuyahoga Valley and for the purpose of providing for the maintenance of needed recreational open space necessary to the urban environment, the Cuyahoga Valley National Park, hereafter referred to as the "park", shall be established within six months after December 27, 1974. In the management of the park, the Secretary of the Interior (hereafter referred to as the "Secretary") shall utilize the park resources in a manner which will preserve its scenic, natural, and historic setting while providing for the recreational and educational needs of the visiting public.

(Pub. L. 93-555, §1, Dec. 27, 1974, 88 Stat. 1784; Pub. L. 106-291, title I, §149(c), Oct. 11, 2000, 114 Stat. 956.)

AMENDMENTS

2000—Pub. L. 106-291 substituted "National Park" for "National Recreation Area" and substituted "park" for "recreation area" wherever appearing.

REDESIGNATION OF CUYAHOGA VALLEY NATIONAL
RECREATION AREA

Pub. L. 106-291, title I, §149(a), (b), Oct. 11, 2000, 114 Stat. 956, provided that:

"(a) REDESIGNATION.—The Cuyahoga Valley National Recreation Area is redesignated as Cuyahoga Valley National Park.

"(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Cuyahoga Valley National Recreation Area is deemed to be a reference to Cuyahoga Valley National Park."

§ 460ff-1. Acquisition of land

(a) Composition and boundaries; boundary revisions; certain specific property

The park shall comprise the lands and waters generally depicted on the map entitled "Boundary Map, Cuyahoga Valley National Park, Ohio", numbered 644-80,054 and dated July 1986, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the main public library of Akron, Ohio, and Cleveland, Ohio. After advising the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, in writing, the Secretary may make minor revisions of the boundaries of the park when necessary by publication of a revised drawing or other boundary description in the Federal Register: *Provided*, That with respect to the property known as the Hydraulic Brick Company located in Independence, Ohio, the Secretary shall have the first right of refusal to purchase such property for a purchase price not exceeding the fair market value of such property on the date it is offered for sale. When acquired such prop-

erty shall be administered as part of the park, subject to the laws and regulations applicable thereto. The park shall also comprise any lands designated as "City of Akron Lands" on the map referred to in the first sentence which are offered as donations to the Department of the Interior or which become privately owned. The Secretary shall revise such map to depict such lands as part of the park.

(b) Manner of acquisition; scenic easements; donation of State lands; private lands essential to area; transfer of Federal property to Secretary

Within the boundaries of the park, the Secretary, after consultation with the Governor of the State of Ohio and the Advisory Commission established in section 460ff-4¹ of this title, may acquire lands, improvements, waters, or interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. The Secretary may not acquire fee title to any lands included within the park in 1986 which are designated on the map referred to in subsection (a) of this section as "Scenic Easement Acquisition Areas". The Secretary may acquire only scenic easements in such designated lands. Unless consented to by the owner from which the easement is acquired, any such scenic easement may not prohibit any activity, the subdivision of any land, or the construction of any building or other facility if such activity, subdivision, or construction would have been permitted under laws and ordinances of the unit of local government in which such land was located on April 1, 1986, as such laws and ordinances were in effect on such date. Any lands or interests owned therein, as well as any lands hereafter acquired, by the State of Ohio or any political subdivision thereof (including any park district or other public entity) within the boundaries of the park may be acquired only by donation or exchange for equal value. In determining the exchange value of lands of the State or any political subdivision thereof under this subsection, the Secretary shall not include in the value of those lands amounts paid from the land and water conservation fund, if any, for the original acquisition of those lands by the State or political subdivision. The Secretary shall not acquire privately owned lands which are held and used for public recreation uses unless he determines that such lands are essential to carry out the purposes of this subchapter. Notwithstanding any other provisions of law, any Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the park.

(c) Scenic easements or other interests in improved property; prerequisites to acquisition of fee title

With respect to improved properties, as defined in this subchapter, the Secretary may acquire scenic easements or such other interests as, in his judgment, are necessary for the purposes of the park. Fee title to such improved properties shall not be acquired unless the Sec-

¹ See References in Text note below.