

**Editorial Notes**

## 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.

**Statutory Notes and Related Subsidiaries**

## “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)<sup>1</sup> 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.)

**Editorial Notes**

## 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

<sup>1</sup> See References in Text note below.

“907” for “7” required no change in text as set out in this section.

**Statutory Notes and Related Subsidiaries**

## “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 with applicable Federal and State laws on land, and interests in land and water managed by the Secretary, except that the Secretary may designate zones where and establish periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety. Except in emergencies, any regulations of the Secretary promulgated under this section shall be put into effect only after consultation with the appropriate fish and game agency of Louisiana.

(Pub. L. 95-625, title IX, §905, Nov. 10, 1978, 92 Stat. 3536; Pub. L. 111-11, title VII, §7105(d), (f)(2)(A), Mar. 30, 2009, 123 Stat. 1192, 1193.)

**Editorial Notes**

## AMENDMENTS

2009—Pub. L. 111-11, in first sentence, substituted “Barataria Preserve Unit” for “Barataria Marsh Unit” and “on land, and interests in land and water managed by the Secretary, except that the Secretary” for “, except that within the core area and on those lands acquired by the Secretary pursuant to section 230a(c) of this title, he”.

**Statutory Notes and Related Subsidiaries**

## “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.

**§ 230e. Establishment; notice in Federal Register; administration**

The Secretary shall administer the park in accordance with the provisions of this part, the Act of August 25, 1916 (39 Stat. 535),<sup>1</sup> the Act of August 21, 1935 (49 Stat. 666),<sup>1</sup> and any other statutory authorities available to him for the conservation and management of natural, historical, and cultural resources.

(Pub. L. 95-625, title IX, §906, Nov. 10, 1978, 92 Stat. 3537; Pub. L. 111-11, title VII, §7105(e), Mar. 30, 2009, 123 Stat. 1193.)

**Editorial Notes**

## REFERENCES IN TEXT

The Act of August 25, 1916 (39 Stat. 535), 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

<sup>1</sup> See References in Text note below.

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.

The Act of August 21, 1935 (49 Stat. 666), referred to in text, is act Aug. 21, 1935, ch. 593, 49 Stat. 666, known as the Historic Sites Act of 1935 and also as the Historic Sites, Buildings, and Antiquities Act, which enacted sections 461 to 467 of this title. The Act was repealed and restated as section 1866(a) of Title 18, Crimes and Criminal Procedure, and sections 102303 and 102304 and chapter 3201 of Title 54, National Park Service and Related Programs, 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.

#### AMENDMENTS

2009—Pub. L. 111-11 substituted “The” for “The Secretary shall establish the park by publication of a notice to that effect in the Federal Register at such time as he finds that, consistent with the general management plan referred to in section 230g of this title, sufficient lands and interests therein (i) have been acquired for interpretive and administrative facilities, (ii) are being protected in the core area, and (iii) have been made the subject of cooperative agreements pursuant to section 230c of this title. Pending such establishment and thereafter the”.

#### Statutory Notes and Related Subsidiaries

##### “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.

### § 230f. Delta Region Preservation Commission

#### (a) Establishment; membership

There is established the Delta Region Preservation Commission (hereinafter referred to as the “Commission”), which shall consist of the following:

- (1) two members appointed by the Governor of the State of Louisiana;
- (2) two members appointed by the Secretary from recommendations submitted by the President of Jefferson Parish;
- (3) two members appointed by the Secretary from recommendations submitted by the Jefferson Parish Council;
- (4) two members appointed by the Secretary from recommendations submitted by the mayor of the city of New Orleans;
- (5) one member appointed by the Secretary from recommendations submitted by the commercial fishing industry;
- (6) three members appointed by the Secretary from recommendations submitted by local citizen conservation organizations in the delta region;
- (7) one member appointed by the Chairman of the National Endowment for the Arts; and
- (8)<sup>1</sup> two members appointed by the Secretary from recommendations submitted by the Police Jury of Saint Bernard Parish.
- (8)<sup>1</sup> one member who shall have experience as a folklorist and who is familiar with the

cultures of the Mississippi Delta Region appointed by the Secretary of the Smithsonian Institution.

#### (b) Compensation and expenses

Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the non-Federal members of the Commission in carrying out their duties.

#### (c) Functions

The function of the Commission shall be to advise the Secretary in the selection of sites for inclusion in the park, in the development and implementation of a general management plan, and in the development and implementation of a comprehensive interpretive program of the natural, historic, and cultural resources of the region. The Commission shall inform interested members of the public, the State of Louisiana and its political subdivisions, and interested Federal agencies with respect to existing and proposed actions and programs having a material effect on the perpetuation of a high-quality natural and cultural environment in the delta region.

#### (d) Majority voting; generally; single parish or municipality

The Commission shall act and advise by affirmative vote of a majority of its members: *Provided*, That any recommendation of the Commission that affects the use or development, or lack thereof, of property located solely within a single parish or municipality shall have the concurrence of a majority of the members appointed from recommendations submitted by such parish or municipality.

#### (e) Ex officio members; staff support and technical services; termination date

The Directors of the Heritage Conservation and Recreation Service and the National Park Service shall serve as ex officio members of the Commission and provide such staff support and technical services as may be necessary to carry out the functions of the Commission. The Commission shall terminate twenty years from November 10, 1978.

(Pub. L. 95-625, title IX, §907, Nov. 10, 1978, 92 Stat. 3537; Pub. L. 96-87, title IV, §401(q)(3), (4), Oct. 12, 1979, 93 Stat. 666; Pub. L. 100-250, §1(c), Feb. 16, 1988, 102 Stat. 16; Pub. L. 100-355, §2, June 28, 1988, 102 Stat. 667.)

#### Editorial Notes

##### AMENDMENTS

1988—Subsec. (a)(6), (7). Pub. L. 100-355, §2(1), (2), which directed that in par. (6) “region;” be substituted for “region; and” and that in par. (7) “Arts; and” be substituted for “Arts.” could not be executed because of prior amendment by section 401(q)(3) of Pub. L. 96-87.

Subsec. (a)(8). Pub. L. 100-355, §2(3), added par. (8) relating to appointment of member with experience as folklorist familiar with cultures of Mississippi Delta Region.

Subsec. (e). Pub. L. 100-250 substituted “twenty” for “ten”.

1979—Subsec. (a)(8). Pub. L. 96-87, §401(q)(3), added par. (8).

Subsec. (e). Pub. L. 96-87, §401(q)(4), provided that the Commission terminate ten years from November 10, 1978.

<sup>1</sup> So in original. There are two pars. designated “(8)”.