

and to Fern Lake, up to the normal operating elevation of 1,200.4 feet above sea level, along with the dam and all appurtenances associated with the withdrawal and delivery of water from Fern Lake.

**(B) Terms of conveyance**

In executing the conveyance under subparagraph (4)(A), the Secretary may retain an easement for scenic and recreational purposes.

**(C) Reversionary interest**

In the event Fern Lake is no longer used as a source of municipal water supply for the city of Middlesboro, Kentucky, and its environs, ownership of Fern Lake shall revert to the United States and it shall be managed by the Secretary as part of the park.

**(5) Consultation requirements**

In order to better manage lands acquired under this section in a manner that will facilitate the provision of water for municipal needs, as well as the establishment and promotion of new recreational opportunities at the park, the Secretary shall consult with—

- (A) appropriate officials in the States of Kentucky, Tennessee, and Virginia, and political subdivisions of these States;
- (B) organizations involved in promoting tourism in these States; and
- (C) other interested parties.

(Pub. L. 108-199, div. H, § 150, Jan. 23, 2004, 118 Stat. 446.)

**Editorial Notes**

REFERENCES IN TEXT

This section and the section, referred to in subsecs. (a) and (b)(2), were in the original “This Act” and “the Act”, which were translated as meaning section 150 of Pub. L. 108-199, div. H, Jan. 23, 2004, 118 Stat. 446, to reflect the probable intent of Congress.

The act of June 11, 1940, referred to in subsecs. (b)(1)(A) and (c)(1)(C), is act June 11, 1940, ch. 304, 54 Stat. 262, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as the Fern Lake Conservation and Recreation Act, and also as part of the Miscellaneous Appropriations and Offsets Act, 2004, and Consolidated Appropriations Act, 2004, and not as part of act June 11, 1940, ch. 304, 54 Stat. 262, which comprises this subchapter.

SUBCHAPTER XXIX—CANYONLANDS  
NATIONAL PARK

**§ 271. Establishment; description of area**

In order to preserve an area in the State of Utah possessing superlative scenic, scientific, and archeologic features for the inspiration, benefit, and use of the public, there is hereby established the Canyonlands National Park which, subject to valid existing rights, shall comprise the area generally depicted on the drawing entitled “Boundary Map, Canyonlands National Park, Utah”, numbered 164-91004 and dated June 1970, which shows the boundaries of the park having a total of approximately three hundred

and thirty-seven thousand two hundred and fifty-eight acres. The map is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(Pub. L. 88-590, § 1, Sept. 12, 1964, 78 Stat. 934; Pub. L. 92-154, § 1(a), Nov. 12, 1971, 85 Stat. 421.)

**Editorial Notes**

AMENDMENTS

1971—Pub. L. 92-154 substituted provision respecting revision of boundaries of the park and referring to Boundary Map on file and available for public inspection for depiction of the park area on the drawing, for prior specific detailed description of the area.

**§ 271a. Acquisition of lands; authority of Secretary; exchange of property; cash equalization payments; transfer from Federal agency to administrative jurisdiction of Secretary; lands subject to reclamation and power withdrawals**

Within the area which lies within the boundaries of the park, the Secretary of the Interior is authorized to acquire lands and interests in lands by such means as he may deem to be in the public interest. The Secretary may accept title to any non-Federal property within the park, including State-owned school sections and riverbed lands, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Utah, notwithstanding any other provision of law. The properties so exchanged shall be of the same classification, as near as may be, and shall be of approximately equal value, and the Secretary shall take administrative action to complete transfer on any lands in a proper application by the State of Utah on or before the expiration of one hundred twenty days following the date of enactment of this Act [September 12, 1964] or any amendment thereto: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the purposes of this subchapter. Any lands within the boundaries of the park which are subject to Bureau of Reclamation or Federal Power Commission withdrawals are hereby freed and exonerated from any such withdrawal and shall, on September 12, 1964, become a part of the Canyonlands National Park subject to no qualifications except those imposed by this subchapter or any amendment thereto.

(Pub. L. 88-590, § 2, Sept. 12, 1964, 78 Stat. 937; Pub. L. 92-154, § 1(b), Nov. 12, 1971, 85 Stat. 421.)

**Editorial Notes**

REFERENCES IN TEXT

Date of enactment of this Act or any amendment thereto, referred to in text, means Sept. 12, 1964, date of enactment of Pub. L. 88-590, originally classified to sections 271 to 271d of this title, and Nov. 12, 1971, date