

declaration of the establishment of the Fire Island National Seashore, whichever occurs first.

#### § 459e-9. Authorization of appropriations

There is hereby authorized to be appropriated not more than \$23,000,000 for the acquisition of lands and interests in land pursuant to sections 459e to 459e-9 of this title, and, after December 23, 1980, not more than \$500,000 for development.

(Pub. L. 88-587, §10, Sept. 11, 1964, 78 Stat. 933; Pub. L. 94-578, title I, §101(5), Oct. 21, 1976, 90 Stat. 2732; Pub. L. 95-625, title III, §322(d), Nov. 10, 1978, 92 Stat. 3489; Pub. L. 96-585, §1(e), Dec. 23, 1980, 94 Stat. 3379.)

#### Editorial Notes

##### AMENDMENTS

1980—Pub. L. 96-585 inserted provision authorizing \$500,000 appropriation for development.

1978—Pub. L. 95-625 substituted “\$23,000,000” for “\$18,000,000”.

1976—Pub. L. 94-578 substituted “\$18,000,000” for “\$16,000,000”.

#### § 459e-10. Authority to accept donation of William Floyd Estate

The Secretary of the Interior is authorized to accept the donation of approximately six hundred and eleven acres of lands, submerged lands, islands, and marshlands or interests therein, known as the William Floyd Estate, located in the town of Brookhaven, county of Suffolk, and State of New York, delineated on a certain map entitled “Map of the Fire Island National Seashore, Including the William Floyd Estate”, numbered OGP-0003, dated May 1965, which map or a true copy thereof shall be filed with the Federal Register and may be examined in the offices of the Department of the Interior. Such donation may be accepted subject to such terms, covenants, and conditions as the Secretary finds will be in the public interest.

(Pub. L. 89-244, §1, Oct. 9, 1965, 79 Stat. 967.)

#### § 459e-11. Authority to accept donation of main dwelling on William Floyd Estate; lease-back of donated property

The Secretary is also authorized to accept the donation of the main dwelling on said lands, which was the birthplace and residence of General William Floyd (a signer of the Declaration of Independence) and the furnishings therein and any outbuildings, subject to like terms, covenants, and conditions. The Secretary is authorized to lease said lands, dwellings, and outbuildings to the grantors thereof for a term of not more than twenty-five years, at \$1 per annum, and during the period of the leasehold the Secretary may provide protective custody for such property.

(Pub. L. 89-244, §2, Oct. 9, 1965, 79 Stat. 967.)

#### § 459e-12. Administration of property of William Floyd Estate; detached unit

Upon expiration or surrender of the aforesaid lease the property shall become a detached unit of the Fire Island National Seashore, and shall be administered, protected, and developed in ac-

cordance with the laws applicable thereto subject, with respect to said main dwelling and the furnishings therein, to such terms, covenants, and conditions which the Secretary shall have accepted and approved upon the donation thereof as in the public interest.

(Pub. L. 89-244, §3, Oct. 9, 1965, 79 Stat. 967.)

#### § 459f. Assateague Island National Seashore; purposes; description of area

For the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the “seashore”) shall be established and administered in accordance with the provisions of sections 459f to 459f-11 of this title. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as “Proposed Assateague Island National Seashore, Boundary Map, NS-AI-7100A, November, 1964”, which map shall be on file and available for public inspection in the offices of the Department of the Interior.

(Pub. L. 89-195, §1, Sept. 21, 1965, 79 Stat. 824.)

#### § 459f-1. Acquisition of property

##### (a) Authority of Secretary; manner and place; fair market value; concurrence of State owner; transfer from Federal agency to administrative jurisdiction of Secretary

Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or in such other method as he may find to be in the public interest. The Secretary is authorized to include within the boundaries of the seashore, not to exceed 112 acres of land or interests therein on the mainland in Worcester County, Maryland. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

##### (b) Exchange of property; cash equalization payments; scenic easement donation

When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which the Secretary classifies suitable for exchange or other disposal, and