

§ 460bbb-10. Savings provision**(a) Activities on lands outside of recreation area**

Nothing in this subchapter shall limit, restrict, or require specific management practices on lands outside the recreation area boundary. The fact that activities or uses outside the recreation area can be seen, heard, or otherwise perceived within the recreation area shall not, of itself, limit, restrict, or preclude such activities or uses up to the boundary of the recreation area.

(b) Prior rights

(1) Nothing in this subchapter shall limit, restrict, or preclude the implementation of valid timber sale contracts or other contracts or agreements executed by the Secretary before November 16, 1990.

(2) Except as specifically provided herein nothing in this subchapter shall be construed as diminishing or relinquishing any right, title, or interest of the United States in any lands, waters, or interests therein within the boundaries of the recreation area designated by this subchapter.

(c) Road easements

Nothing in this subchapter shall be construed as affecting the responsibilities of the State of California or any of its political subdivisions with respect to road easements, including maintenance and improvement of State Highway 199 and County Route 427.

(d) Rights of access

Existing rights provided by Federal law for access by private landowners across National Forest System lands shall not be affected by this subchapter.

(e) Entitlement moneys

Annually for the first two full fiscal years after November 16, 1990, the Secretary shall pay for use by units of local government within the recreation area an amount equal to the difference between the amounts payable for such purposes pursuant to the Act of May 23, 1908 (chapter 193; 35 Stat. 251; 16 U.S.C. 500) and the average amount paid for such purpose under such Act during the five fiscal years preceding November 16, 1990. The amount payable under this subsection shall be reduced by 10 percent annually thereafter for each succeeding fiscal year until the amount payable shall be reduced 100 percent by the end of the twelfth fiscal year after November 16, 1990. This subsection shall expire 11 years after the first payment pursuant to this subsection.

(Pub. L. 101-612, § 13, Nov. 16, 1990, 104 Stat. 3222.)

REFERENCES IN TEXT

Act of May 23, 1908 (chapter 193; 35 Stat. 251; 16 U.S.C. 500), referred to in subsec. (e), probably means act May 23, 1908, ch. 192, 35 Stat. 260, which is classified to section 500 of this title.

§ 460bbb-11. Authorization of appropriations

There are authorized to be appropriated such funds as may be necessary to carry out this subchapter and the amendments made by this subchapter.

(Pub. L. 101-612, § 14, Nov. 16, 1990, 104 Stat. 3222.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this Act", meaning Pub. L. 101-612, Nov. 16, 1990, 104 Stat. 3209, which enacted this subchapter and amended section 1274 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 460bbb of this title and Tables.

SUBCHAPTER CXIV—RED ROCK CANYON NATIONAL CONSERVATION AREA

§ 460ccc. Definitions

For the purposes of this subchapter, the term—

(a) "conservation area" means the Red Rock Canyon National Conservation Area established pursuant to section 460ccc-1 of this title;

(b) "public lands" has the meaning stated in section 1702(e) of title 43; and

(c) "Secretary" means the Secretary of the Interior.

(Pub. L. 101-621, § 2, Nov. 16, 1990, 104 Stat. 3342.)

SHORT TITLE

Section 1 of Pub. L. 101-621 provided that: "This Act [enacting this subchapter] may be cited as the 'Red Rock Canyon National Conservation Area Establishment Act of 1990'."

§ 460ccc-1. Establishment**(a) In general**

(1) In order to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the area in southern Nevada containing and surrounding the Red Rock Canyon and the unique and nationally important geologic, archeological, ecological, cultural, scenic, scientific, wildlife, riparian, wilderness, endangered species, and recreation resources of the public lands therein contained, there is established the Red Rock Canyon National Conservation Area.

(2) The conservation area shall consist of approximately 195,780 acres as generally depicted on the map entitled "Red Rock Canyon National Conservation Area Administrative Boundary Modification", dated August 8, 1996, and such additional areas as are included in the conservation area pursuant to the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002.

(3) The map referred to in paragraph (2) shall be on file and available for inspection in the appropriate offices of the Bureau of Land Management, Department of the Interior.

(b) Legal description

(1) As soon as practicable after November 16, 1990, the Secretary shall file a legal description of the conservation area established by subsection (a) of this section with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, and such legal description shall have the same force and effect as if included in this subchapter, except that the Secretary may

correct clerical and typographic errors in¹ legal description.

(2) The legal description described in paragraph (1) shall be on file and available for public inspection in the office of the Director of the Bureau of Land Management, Department of the Interior.

(c) Discrepancies

In case of any discrepancy between or among the map described in subsection (a) of this section, the amount of acreage stated in subsection (a) of this section, or the legal description filed by the Secretary pursuant to subsection (b) of this section, the map described in subsection (a) of this section shall control any question concerning the boundaries of the conservation area.

(Pub. L. 101-621, §3, Nov. 16, 1990, 104 Stat. 3342; Pub. L. 103-450, §1, Nov. 2, 1994, 108 Stat. 4766; Pub. L. 105-263, §8, Oct. 19, 1998, 112 Stat. 2349; Pub. L. 107-282, title I, §105(c), Nov. 6, 2002, 116 Stat. 1998.)

REFERENCES IN TEXT

The Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002, referred to in subsec. (a)(2), is title I of Pub. L. 107-282, Nov. 6, 2002, 116 Stat. 1995, which amended this section and enacted provisions set out as a note under section 460ccc-4 of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2002—Subsec. (a)(2). Pub. L. 107-282 inserted before period at end “, and such additional areas as are included in the conservation area pursuant to the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002”.

1998—Subsec. (a)(2). Pub. L. 105-263 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The conservation area shall consist of approximately 195,610 acres as generally depicted on a map entitled ‘Red Rock Canyon National Conservation Area—Proposed Expansion’, numbered NV-RRCNCA-002, and dated July 1994.”

1994—Subsec. (a)(2). Pub. L. 103-450 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The conservation area shall consist of approximately 83,100 acres of generally depicted on a map entitled ‘Red Rock Canyon National Conservation Area—Proposed’ numbered NV-RRC-NCA-001, and dated June, 1990.”

CHANGE OF NAME

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

POTENTIAL CONSERVATION LANDS

Pub. L. 103-450, §3, Nov. 2, 1994, 108 Stat. 4767, as amended by Pub. L. 106-113, div. B, §1000(a)(3) [title I, §144(a)], Nov. 29, 1999, 113 Stat. 1535, 1501A-171, provided that:

“(a) WITHDRAWAL.—Subject to valid existing rights, the lands identified in subsection (b) are hereby withdrawn from all forms of entry under the public land laws, including the mining laws, and from operation of the mineral [see 30 U.S.C. 181 et seq., 271 et seq., and 281 et seq.] and geothermal leasing laws: *Provided*, That nothing in this subsection shall limit the issuance of any necessary licenses or public land rights-of-way for any hydroelectric project involving such lands.

“(b) LANDS.—The lands referred to in subsection (a) are the approximately 1,280 acres of public lands as generally depicted on the map entitled ‘Potential Conservation Lands: Possible Hydroelectric Project’ dated July, 1994.

“(c) FUTURE STATUS.—(1) Effective on May 2, 2000, the lands described in subsection (b) shall be added to the Red Rock Canyon National Conservation Area unless before such effective date all necessary licenses and public land rights-of-way have been issued for a hydroelectric project involving some or all of such lands.

“(2) For purposes of section 10(b) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 [16 U.S.C. 460ccc-8(b)], as amended by this Act, the date on which the lands identified in subsection (b) of this section are added to the Red Rock Canyon National Conservation Area shall be deemed to be the date of enactment of an Act adding such lands to the conservation area.”

[Pub. L. 106-113, div. B, §1000(a)(3) [title I, §144(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-171, provided that: “The amendment made by subsection (a) [amending section 3 of Pub. L. 103-450, set out above] takes effect on November 1, 1999.”]

§ 460ccc-2. Management

(a) In general

The Secretary, acting through the Director of the Bureau of Land Management, shall, subject to valid existing rights, manage the conservation area to conserve, protect, and enhance the resources described in section 460ccc-1 of this title, in accordance with this subchapter, the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.], and other applicable laws. The Secretary shall only allow such uses of the conservation area as he finds will further the purposes for which the conservation area is established.

(b) Hunting

(1) Subject to paragraph (2), the Secretary shall permit hunting within the conservation area in accordance with the laws of the State of Nevada.

(2) The Secretary, after consultation with the Nevada Department of Wildlife, may issue regulations designating zones where and establishing when hunting shall not be permitted for reasons of public safety, administration, or public use and enjoyment.

(c) Preventive measures

Nothing in this subchapter shall preclude such measures as the Secretary deems necessary to prevent devastating fire or infestation of insects or disease within the conservation area.

(d) Mechanized vehicles

Except when needed for administrative or emergency purposes, the use of mechanized vehicles in the conservation area shall be allowed only on roads and trails specifically designated for such use as provided in the management plan prepared pursuant to section 460ccc-3 of this title.

(e) Limits on visitation and use

The Secretary may limit visitation and use of the conservation area as the Secretary finds appropriate for the protection of the resources of the conservation area.

(Pub. L. 101-621, §4, Nov. 16, 1990, 104 Stat. 3343.)

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a), is Pub. L. 94-579, Oct. 21,

¹ So in original. Probably should be “in the”.

1976, 90 Stat. 2743, as amended, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

§ 460ccc-3. Management plan

(a) In general

(1) No later than January 1, 1997, the Secretary shall develop and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives, a general management plan for the conservation area, which shall describe the appropriate uses and development of the conservation area consistent with the purposes of this subchapter.

(2) The management plan described in paragraph (1) shall be developed with full public participation and shall include—

(A) an implementation plan for a continuing program of interpretation and public education about the resources and values of the conservation area;

(B) a proposal for administrative and public facilities to be developed, expanded, or improved for the conservation area including the Red Rock Canyon visitors center, to accommodate visitors to the conservation area;

(C) a cultural resources management plan for the conservation area prepared in consultation with the Nevada State Historic Preservation Officer, with emphasis on the preservation of the resources in the conservation area and the interpretive, educational, and long-term scientific uses of these resources, giving priority to the enforcement of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the conservation area;

(D) a wildlife resource management plan for the conservation area prepared in consultation with appropriate departments of the State of Nevada and using previous studies of the area; and

(E) a recreation management plan, including nonmotorized dispersed recreation opportunities for the conservation area in consultation with appropriate departments of the State of Nevada.

(b) Wilderness study areas

Subject to section 460ccc-5 of this title, nothing in this subchapter is intended to alter the requirements of section 1782 of title 43, or section 5(a) of the National Forest and Public Lands of Nevada Enhancement Act of 1988 (102 Stat. 2751), as those requirements apply to the lands within, or adjacent to the conservation area as of November 16, 1990.

(Pub. L. 101-621, §5, Nov. 16, 1990, 104 Stat. 3343; Pub. L. 103-437, §6(d)(23), Nov. 2, 1994, 108 Stat. 4584; Pub. L. 103-450, §2(a), Nov. 2, 1994, 108 Stat. 4766.)

REFERENCES IN TEXT

The Archaeological Resources Protection Act of 1979, referred to in subsec. (a)(2)(C), is Pub. L. 96-95, Oct. 31, 1979, 93 Stat. 721, which is classified generally to chap-

ter 1B (§470aa et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 470aa of this title and Tables.

The National Historic Preservation Act, referred to in subsec. (a)(2)(C), is Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, as amended, which is classified generally to subchapter II (§470 et seq.) of chapter 1A of this title. For complete classification of this Act to the Code, see section 470 of this title and Tables.

Section 5(a) of the National Forest and Public Lands of Nevada Enhancement Act of 1988, referred to in subsec. (b), is section 5(a) of Pub. L. 100-550, Oct. 28, 1988, 102 Stat. 2751, which is not classified to the Code.

AMENDMENTS

1994—Subsec. (a)(1). Pub. L. 103-450 substituted “No later than January 1, 1997,” for “Within 3 full fiscal years following the fiscal year in which the date of enactment of this subchapter occurs.”.

Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

§ 460ccc-4. Acquisitions

(a) In general

(1) Within the conservation area, and subject to the provisions of this section, the Secretary is authorized to acquire lands, interests in lands, and associated water rights, by donation, purchase, exchange for Federal lands outside the conservation area, or transfer from another Federal agency with the concurrence of the head of the appropriate agency thereof.

(2) No privately owned lands, interests in lands, or associated water rights, may be acquired without the consent of the owner thereof unless the Secretary determines that, in his judgment, the property is subject to, or threatened with, uses which are having, or would have, an adverse impact on the resource values for which the conservation area was established.

(3) Any lands, waters, or interests therein within the boundaries of the conservation area which after November 16, 1990, may be acquired by the United States shall be incorporated into the conservation area and be managed accordingly, and all provisions of this subchapter and other laws applicable to conservation areas shall apply to such incorporated lands.

(b) Land exchanges

All exchanges pursuant to subsection (a) of this section shall be made in a manner consistent with section 1716 of title 43.

(Pub. L. 101-621, §6, Nov. 16, 1990, 104 Stat. 3344; Pub. L. 110-161, div. F, title I, §120, Dec. 26, 2007, 121 Stat. 2121.)

AMENDMENTS

2007—Subsec. (a). Pub. L. 110-161, which directed the amendment of section 460ccc-4(a) of the Red Rock Canyon National Conservation Area Establishment Act authorization by striking out “with donated or appropriated funds” in par. (1), striking out par. (2), and redesignating pars. (3) and (4) as (2) and (3), respectively, was executed by making the amendments to subsec. (a) of this section, which is section 6 of the Red Rock Canyon National Conservation Area Establishment Act of 1990, to reflect the probable intent of Congress. Prior to amendment, “with donated or appropriated funds” appeared after “purchase” and par. (2) read as follows: “Lands or interests therein owned by the State of Nevada or a political subdivision thereof may be acquired by donation or exchange only.”

RED ROCK CANYON NATIONAL CONSERVATION AREA
PROTECTION AND ENHANCEMENT

Pub. L. 107-282, title I, Nov. 6, 2002, 116 Stat. 1995, provided that:

“SEC. 101. SHORT TITLE.

“This title [amending section 460ccc-1 of this title and enacting this note] may be cited as the ‘Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002’.

“SEC. 102. DEFINITIONS.

“As used in this title:

“(1) CORPORATION.—The term ‘Corporation’ means the Howard Hughes Corporation, an affiliate of the Rouse Company, with its principal place of business at 10000 West Charleston Boulevard, Las Vegas, Nevada.

“(2) RED ROCK CANYON.—The term ‘Red Rock Canyon’ means the Red Rock Canyon National Conservation Area, consisting of approximately 195,780 acres of public lands in Clark County, Nevada, specially designated for protection in the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), as depicted on the Red Rock Canyon Map.

“(3) RED ROCK CANYON MAP.—The term ‘Red Rock Canyon Map’ means the map entitled ‘Southern Nevada Public Land Management Act’, dated October 1, 2002.

“SEC. 103. FINDINGS AND PURPOSES.

“(a) FINDINGS.—The Congress makes the following findings:

“(1) Red Rock Canyon is a natural resource of major significance to the people of Nevada and the United States. It must be protected in its natural state for the enjoyment of future generations of Nevadans and Americans, and enhanced wherever possible.

“(2) In 1998, the Congress enacted the Southern Nevada Public Lands [Land] Management Act of 1998 (Public Law 105-263) [see Short Title of 1998 Amendment note set out under section 6901 of Title 31, Money and Finance], which provided among other things for the protection and enhancement of Red Rock Canyon.

“(3) The Corporation owns much of the private land on Red Rock Canyon’s eastern boundary, and is engaged in developing a large-scale master-planned community.

“(4) Included in the Corporation’s land holdings are 1,071 acres of high-ground lands at the eastern edge of Red Rock Canyon. These lands were intended to be included in Red Rock, but to date have not been acquired by the United States. The protection of this high-ground acreage would preserve an important element of the western Las Vegas Valley viewshed.

“(5) The Corporation has volunteered to forgo development of the high-ground lands, and proposes that the United States acquire title to the lands so that they can be preserved in perpetuity to protect and expand Red Rock Canyon.

“(b) PURPOSES.—The purposes of this title are:

“(1) To accomplish an exchange of lands between the United States and the Corporation that would transfer certain high-ground lands to the United States in exchange for the transfer of other lands of approximately equal value to the Corporation.

“(2) To protect Red Rock Canyon and to expand its boundaries as contemplated by the Bureau of Land Management, as depicted on the Red Rock Canyon Map.

“(3) To further fulfill the purposes of the Southern Nevada Public Lands [Land] Management Act of 1998 and the Red Rock Canyon National Conservation Area Establishment Act of 1990.

“SEC. 104. RED ROCK CANYON LAND EXCHANGE.

“(a) ACQUISITION REQUIREMENT.—If the Corporation offers to convey to the United States all right, title,

and interest in and to the approximately 1,082 acres of non-Federal land owned by the Corporation and depicted on the Red Rock Canyon Map as ‘Offered Lands proposed addition to the Red Rock Canyon NCA’, the Secretary shall accept such offer on behalf of the United States, and not later than 90 days after the date of the offer, except as otherwise provided in this title, shall make the following conveyances:

“(1) To the Corporation, the approximately 998 acres of Federal lands depicted on the Red Rock Canyon Map as ‘Public land selected for exchange’.

“(2) To Clark County, Nevada, the approximately 1,221 acres of Federal lands depicted on the Red Rock Canyon Map as ‘Proposed BLM transfer for county park’.

“(b) SIMULTANEOUS CONVEYANCES.—Title to the private property and the Federal property to be conveyed pursuant to this section shall be conveyed at the same time.

“(c) MAP.—The Secretary shall keep the Red Rock Canyon Map on file and available for public inspection in the Las Vegas District Office of the Bureau of Land Management in Nevada, and the State Office of the Bureau of Land Management, Reno, Nevada.

“(d) CONDITIONS.—

“(1) HAZARDOUS MATERIALS.—As a condition of the conveyance under —subsection [sic] (a)(1), the Secretary shall require that the Corporation be responsible for removal of and remediation related to any hazardous materials that are present on the property conveyed to the United States under subsection (a).

“(2) SURVEY.—As a condition of the conveyance under subsection (a)(1), the Secretary shall require that not later than 90 days after the date of the offer referred to in subsection (a), the Corporation shall provide a metes and bounds survey, that is acceptable to the Corporation, Clark County, and the Secretary, of the common boundary between the parcels of land to be conveyed under subsection (a).

“(3) LANDS CONVEYED TO CLARK COUNTY.—As a condition of the conveyance under subsection (a)(2), the Secretary shall require that—

“(A) the lands transferred to Clark County by the United States must be held in perpetuity by the County for use only as a public park or as part of a public regional trail system; and

“(B) if the County attempts to transfer the lands or to undertake a use on the lands that is inconsistent with their preservation and use as described in subparagraph (A), such lands shall, at the discretion of the Secretary, revert to the United States.

“(e) VALUATION.—

“(1) EQUAL VALUE EXCHANGE.—The values of the Federal parcel and the non-Federal parcel, as determined under paragraph (2)—

“(A) shall be equal; or

“(B) if the values are not equal, shall be equalized in accordance with paragraph (3).

“(2) APPRAISAL.—The values of the Federal parcel and the non-Federal parcel shall be determined by an appraisal, to be approved by the Secretary, that complies with the Uniform Standards for Federal Land Acquisitions.

“(3) EQUALIZATION.—

“(A) IN GENERAL.—If the value of the non-Federal parcel is less than the value of the Federal parcel—

“(i) the Corporation shall make a cash equalization payment to the Secretary; or

“(ii) the Secretary shall, as determined to be appropriate by the Secretary and the Corporation, reduce the acreage of the Federal parcel.

“(B) DISPOSITION OF PROCEEDS.—The Secretary shall deposit any cash equalization payments received under subparagraph (A)(i) in accordance with section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345).

“SEC. 105. STATUS AND MANAGEMENT OF LANDS.

“(a) INCLUSION AND MANAGEMENT OF LANDS.—Upon the date of the enactment of this Act [Nov. 6, 2002], the

Secretary shall administer the lands depicted on the Red Rock Map as ‘Public Lands-proposed addition to the Red Rock Canyon NCA’, exclusive of those lands used for the Corps of Engineers R-4 Detention Basin, as part of Red Rock and in accordance with the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.) and all other applicable laws.

“(b) INCLUSION OF ACQUIRED LANDS.—Upon acquisition by the United States of lands under this Act [Pub. L. 107-282, see Short Title note set out under section 460qqq of this title], the Secretary shall—

“(1) administer the lands as part of Red Rock and in accordance with the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), the Southern Nevada Public Lands [Land] Management Act of 1998 (Public Law 105-263), and all other applicable laws; and

“(2) create new maps showing the boundaries of Red Rock as modified or pursuant to this Act, and make such maps available for review at the Las Vegas District Office of the Bureau of Land Management and the State Office of the Bureau of Land Management, Reno, Nevada.

“(c) CONFORMING AMENDMENT.—[Amended section 460ccc-1 of this title.]

“SEC. 106. GENERAL PROVISIONS.

“(a) REVIEW OF APPRAISAL.—Not later than 90 days after the date of the enactment of this Act [Nov. 6, 2002], the Secretary shall complete a review of the appraisal entitled, ‘Complete Self-Contained Appraisal Red Rock Exchange, Las Vegas, Nevada’, completed on or about June 3, 2002. The difference in appraisal values shall be reimbursed to the Secretary by the Corporation in accordance with the Southern Nevada Public Lands [Land] Management Act of 1998.

“(b) VALID EXISTING RIGHTS.—The land exchange under this Act shall be subject to valid existing rights. Each party to which property is conveyed under this Act shall succeed to the rights and obligations of the conveying party with respect to any lease, right-of-way, permit, or other valid existing right to which the property is subject.

“(c) TECHNICAL CORRECTIONS.—Nothing in this Act prohibits the parties to the conveyances under this Act from agreeing to the correction of technical errors or omissions in the Red Rock Map.

“(d) WITHDRAWAL OF AFFECTED LANDS.—To the extent not already accomplished under law or administrative action, the Secretary shall withdraw from operation of the public land and mining laws, subject to valid existing rights—

“(1) those Federal lands acquired by the United States under this Act; and

“(2) those Federal lands already owned by the United States on the date of enactment of this Act but included within the Red Rock National Conservation Area boundaries by this Act.”

[For definitions of terms used in title I of Pub. L. 107-282, set out above, see section 3 of Pub. L. 107-282, set out as a note under section 460qqq-1 of this title.]

§ 460ccc-5. Withdrawal; exchange of lands

(a) Except as specifically authorized in this subchapter, and subject to valid existing rights, all Federal lands within the conservation area and all lands and interests therein which are acquired by the United States after November 16, 1990, for inclusion in the conservation area are withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, and patent under the mining laws, and from operation under the mineral leasing and geothermal leasing laws, and all amendments thereto.

(b) The Secretary may transfer to the owner of the Old Nevada recreation facility the approxi-

mately 20 acres of Federal lands within the conservation area which, on March 1, 1994, were used to provide parking for visitors to such facility, in exchange for lands of equal or greater value within the conservation area acceptable to the Secretary.

(Pub. L. 101-621, §7, Nov. 16, 1990, 104 Stat. 3344; Pub. L. 103-450, §2(b), Nov. 2, 1994, 108 Stat. 4766.)

AMENDMENTS

1994—Pub. L. 103-450 designated existing provisions as subsec. (a) and added subsec. (b).

§ 460ccc-6. Cooperative agreements

In order to encourage unified and cost-effective management and interpretation of natural and cultural resources in the conservation area, the Secretary is authorized and encouraged to enter into cooperative agreements with other Federal, State, and local agencies and nonprofit entities providing for the management and interpretation of natural and cultural resources in the conservation area.

(Pub. L. 101-621, §8, Nov. 16, 1990, 104 Stat. 3345.)

§ 460ccc-7. Coordinated management

The Secretary shall coordinate the management of the conservation area with that of surrounding State and Federal lands in such a manner as best to meet the present and future needs of the American people.

(Pub. L. 101-621, §9, Nov. 16, 1990, 104 Stat. 3345.)

§ 460ccc-8. Water

(a) Reservation of rights

Within the conservation area designated by this subchapter, there is hereby reserved a quantity of water sufficient to fulfill the purposes for which the conservation area is established.

(b) Priority date of reservation

The priority date of the water rights reserved in paragraph¹ (a) shall be November 16, 1990, except that as related to rights associated with lands added to the conservation area after November 16, 1990, the priority date shall be the date of enactment of the Act adding such lands to the conservation area.

(c) Protection of rights

The Secretary shall take all steps necessary to protect the water rights reserved by this section, including the filing of a claim for quantification of such rights in any appropriate water adjudication in the courts of the State of Nevada in which the United States is or may be joined and which is conducted in accordance with section 666 of title 43.

(d) Effect on previously secured rights

The Federal water rights reserved by this subchapter shall be in addition to any water rights which may have been previously secured by the United States for purposes other than for the conservation area.

(e) Scope and construction of rights

The Federal water rights reserved by this subchapter are specific to the conservation area

¹ So in original. Probably should be “subsection”.

designated by this subchapter. Nothing in this subchapter shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation.

(Pub. L. 101-621, §10, Nov. 16, 1990, 104 Stat. 3345; Pub. L. 103-450, §2(c), Nov. 2, 1994, 108 Stat. 4766.)

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-450 inserted before period at end “, except that as related to rights associated with lands added to the conservation area after November 16, 1990, the priority date shall be the date of enactment of the Act adding such lands to the conservation area”.

§ 460ccc-9. No buffer zones

The Congress does not intend for the establishment of the conservation area to lead to the creation of protective perimeters or buffer zones around the conservation area. The fact that there may be activities or uses on lands outside the conservation area that would not be permitted in the conservation area shall not preclude such activities or uses on such lands up to the boundary of the conservation area to the extent consistent with other applicable law.

(Pub. L. 101-621, §11, Nov. 16, 1990, 104 Stat. 3345.)

§ 460ccc-10. Authorization of appropriations

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

(Pub. L. 101-621, §12, Nov. 16, 1990, 104 Stat. 3346.)

SUBCHAPTER CXV—GILA BOX RIPARIAN NATIONAL CONSERVATION AREA

§ 460ddd. Establishment

(a) In general

In order to conserve, protect, and enhance the riparian and associated areas described in subsection (b) of this section and the aquatic, wildlife, archeological, paleontological, scientific, cultural, recreational, educational, scenic, and other resources and values of such areas, there is hereby established the Gila Box Riparian National Conservation Area (hereafter in this subchapter referred to as the “conservation area”).

(b) Areas included

The conservation area shall consist of the public lands generally depicted on a map entitled “Gila Box Riparian National Conservation Area” dated February 1990, and comprising approximately 20,900 acres.

(c) Map

As soon as practicable after November 28, 1990, a map and legal description of the conservation area shall be filed by the Secretary with the Committee on Natural Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. Such map shall have the same force and effect as if included in this section. Copies of such map shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, Department of the Interior, and in the ap-

propriate office of the Bureau of Land Management in Arizona.

(d) Management of conservation area

(1) The Secretary shall manage the conservation area in a manner that conserves, protects and enhances its resources and values, including the resources and values specified in subsection (a) of this section, pursuant to the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.] and other applicable law, including this subchapter.

(2) The Secretary shall allow only such uses of the conservation area as the Secretary finds will further the purposes for which the conservation area is established. Except where needed for administrative purposes or to respond to an emergency, use of motorized vehicles in the conservation area shall be permitted only on roads specifically designated for such use as part of the management plan prepared pursuant to subsection (g) of this section.

(e) Withdrawal

Subject to valid existing rights, all Federal lands within the conservation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and all amendments thereto.

(f) Water

(1) Congress hereby reserves a quantity of water sufficient to fulfill the purposes, as specified in subsection (a) of this section, for which the conservation area is established. The priority date of this reserved right shall be November 28, 1990.

(2) The Secretary and all other officers of the United States shall take all steps necessary to protect the right reserved by paragraph (1), including the filing by the Secretary of a claim for the quantification of such right in any present or future appropriate stream adjudication in the courts of the State of Arizona in which the United States is or may be joined and which is conducted in accordance with section 666 of title 43.

(3) Nothing in this subchapter shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Arizona on or before November 28, 1990.

(4) The Federal rights reserved by this subchapter are specific to the conservation area located in the State of Arizona designated by this subchapter. Nothing in this subchapter related to reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made pursuant thereto.

(5) Nothing in this subchapter shall be construed to impair or conflict with the implementation of the authorization contained in section 1524(f) of title 43.

(g) Management plan

(1) No later than two years after November 28, 1990, the Secretary shall develop a comprehen-