

21, 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.

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-400 substituted “McInnis Canyons” for “Colorado Canyons”.

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-400 effective Jan. 1, 2005, see section 1(g) of Pub. L. 108-400, set out as a note under section 460mmm of this title.

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 460mmm-7. Public access

(a) In general

The Secretary shall continue to allow private landowners reasonable access to inholdings in the Conservation Area and Wilderness.

(b) Glade Park

The Secretary shall continue to allow public right of access, including commercial vehicles, to Glade Park, Colorado, in accordance with the decision in Board of County Commissioners of Mesa County v. Watt (634 F. Supp. 1265 (D.Colo.; May 2, 1986)).

(Pub. L. 106-353, §9, Oct. 24, 2000, 114 Stat. 1380.)

SUBCHAPTER CXXV—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

§ 460nnn. Definitions

In this subchapter:

(1) Advisory council

The term “advisory council” means the Steens Mountain Advisory Council established by part D of this subchapter.¹

(2) Cooperative management agreement

An agreement to plan or implement (or both) cooperative recreation, ecological, grazing, fishery, vegetation, prescribed fire, cultural site protection, wildfire or other measures to beneficially meet public use needs and the public land and private land objectives of this subchapter.

(3) Cooperative Management and Protection Area

The term “Cooperative Management and Protection Area” means the Steens Mountain Cooperative Management and Protection Area designated by part A of this subchapter.

¹ See References in Text note below.

(4) Easements

(A) Conservation easement

The term “conservation easement” means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area under which the landowner, permanently or during a time period specified in the agreement, agrees to conserve or restore habitat, open space, scenic, or other ecological resource values on the land covered by the easement.

(B) Nondevelopment easement

The term “nondevelopment easement” means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area that will, permanently or during a time period specified in the agreement—

- (i) prevent or restrict development on the land covered by the easement; or
- (ii) protect open space or viewshed.

(5) Ecological integrity

The term “ecological integrity” means a landscape where ecological processes are functioning to maintain the structure, composition, activity, and resilience of the landscape over time, including—

- (A) a complex of plant communities, habitats and conditions representative of variable and sustainable successional conditions; and
- (B) the maintenance of biological diversity, soil fertility, and genetic interchange.

(6) Management plan

The term “management plan” means the management plan for the Cooperative Management and Protection Area and the Wilderness Area required to be prepared by section 460nnn-21(b) of this title.

(7) Redband Trout Reserve

The term “Redband Trout Reserve” means the Donner und Blitzen Redband Trout Reserve designated by section 460nnn-72 of this title.

(8) Secretary

The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.

(9) Science committee

The term “science committee” means the committee of independent scientists appointed under section 460nnn-53 of this title.

(10) Wilderness Area

The term “Wilderness Area” means the Steens Mountain Wilderness Area designated by part B of this subchapter.

(Pub. L. 106-399, §2, Oct. 30, 2000, 114 Stat. 1656.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

Part D of this subchapter, referred to in par. (1), probably should be a reference to subpart 4 of part A of this

subchapter. Part D of this subchapter does not relate to the Steens Mountain Advisory Council.

SHORT TITLE

Pub. L. 106-399, §1(a), Oct. 30, 2000, 114 Stat. 1655, provided that: “This Act [enacting this subchapter and provisions listed in a table of Wilderness Areas set out under section 1132 of this title and amending section 1274 of this title] may be cited as the ‘Steens Mountain Cooperative Management and Protection Act of 2000.’”

PURPOSES

Pub. L. 106-399, §1(b), Oct. 30, 2000, 114 Stat. 1655, provided that: “The purposes of this Act [see Short Title note above] are the following:

“(1) To maintain the cultural, economic, ecological, and social health of the Steens Mountain area in Harney County, Oregon.

“(2) To designate the Steens Mountain Wilderness Area.

“(3) To designate the Steens Mountain Cooperative Management and Protection Area.

“(4) To provide for the acquisition of private lands through exchange for inclusion in the Wilderness Area and the Cooperative Management and Protection Area.

“(5) To provide for and expand cooperative management activities between public and private landowners in the vicinity of the Wilderness Area and surrounding lands.

“(6) To authorize the purchase of land and development and nondevelopment rights.

“(7) To designate additional components of the National Wild and Scenic Rivers System.

“(8) To establish a reserve for redband trout and a wildlands juniper management area.

“(9) To establish a citizens’ management advisory council for the Cooperative Management and Protection Area.

“(10) To maintain and enhance cooperative and innovative management practices between the public and private land managers in the Cooperative Management and Protection Area.

“(11) To promote viable and sustainable grazing and recreation operations on private and public lands.

“(12) To conserve, protect, and manage for healthy watersheds and the long-term ecological integrity of Steens Mountain.

“(13) To authorize only such uses on Federal lands in the Cooperative Management and Protection Area that are consistent with the purposes of this Act.”

§ 460nnn-1. Maps and legal descriptions

(a) Preparation and submission

As soon as practicable after October 30, 2000, the Secretary shall prepare and submit to Congress maps and legal descriptions of the following:

(1) The Cooperative Management and Protection Area.

(2) The Wilderness Area.

(3) The wild and scenic river segments and redband trout reserve designated by part C of this subchapter.

(4) The mineral withdrawal area designated by part D of this subchapter.

(5) The wildlands juniper management area established by part E of this subchapter.

(6) The land exchanges required by part F of this subchapter.

(b) Legal effect and correction

The maps and legal descriptions referred to in subsection (a) of this section shall have the same force and effect as if included in this subchapter, except the Secretary may correct clerical

and typographical errors in such maps and legal descriptions.

(c) Public availability

Copies of the maps and legal descriptions referred to in subsection (a) of this section shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management and in the appropriate office of the Bureau of Land Management in the State of Oregon.

(Pub. L. 106-399, §3, Oct. 30, 2000, 114 Stat. 1657.)

§ 460nnn-2. Valid existing rights

Nothing in this subchapter shall effect¹ any valid existing right.

(Pub. L. 106-399, §4, Oct. 30, 2000, 114 Stat. 1658.)

§ 460nnn-3. Protection of tribal rights

Nothing in this subchapter shall be construed to diminish the rights of any Indian tribe. Nothing in this subchapter shall be construed to diminish tribal rights, including those of the Burns Paiute Tribe, regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities.

(Pub. L. 106-399, §5, Oct. 30, 2000, 114 Stat. 1658.)

PART A—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

SUBPART 1—DESIGNATION AND PURPOSES

§ 460nnn-11. Designation of Steens Mountain Cooperative Management and Protection Area

(a) Designation

The Secretary shall designate the Steens Mountain Cooperative Management and Protection Area consisting of approximately 425,550 acres of Federal land located in Harney County, Oregon, in the vicinity of Steens Mountain, as generally depicted on the map entitled “Steens Mountain Boundary Map” and dated September 18, 2000.

(b) Contents of map

In addition to the general boundaries of the Cooperative Management and Protection Area, the map referred to in subsection (a) of this section also depicts the general boundaries of the following:

(1) The no livestock grazing area described in section 460nnn-23(e) of this title.

(2) The mineral withdrawal area designated by part D of this subchapter.

(3) The wildlands juniper management area established by part E of this subchapter.

(Pub. L. 106-399, title I, §101, Oct. 30, 2000, 114 Stat. 1658.)

§ 460nnn-12. Purpose and objectives of Cooperative Management and Protection Area

(a) Purpose

The purpose of the Cooperative Management and Protection Area is to conserve, protect, and

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

manage the long-term ecological integrity of Steens Mountain for future and present generations.

(b) Objectives

To further the purpose specified in subsection (a) of this section, and consistent with such purpose, the Secretary shall manage the Cooperative Management and Protection Area for the benefit of present and future generations—

(1) to maintain and enhance cooperative and innovative management projects, programs and agreements between tribal, public, and private interests in the Cooperative Management and Protection Area;

(2) to promote grazing, recreation, historic, and other uses that are sustainable;

(3) to conserve, protect and to ensure traditional access to cultural, gathering, religious, and archaeological sites by the Burns Paiute Tribe on Federal lands and to promote cooperation with private landowners;

(4) to ensure the conservation, protection, and improved management of the ecological, social, and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources; and

(5) to promote and foster cooperation, communication, and understanding and to reduce conflict between Steens Mountain users and interests.

(Pub. L. 106-399, title I, §102, Oct. 30, 2000, 114 Stat. 1658.)

SUBPART 2—MANAGEMENT OF FEDERAL LANDS

§ 460nnn-21. Management authorities and purposes

(a) In general

The Secretary shall manage all Federal lands included in the Cooperative Management and Protection Area pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable provisions of law, including this subchapter, in a manner that—

(1) ensures the conservation, protection, and improved management of the ecological, social and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources, North American Indian tribal and cultural and archaeological resource sites, and additional cultural and historic sites; and

(2) recognizes and allows current and historic recreational use.

(b) Management plan

Within 4 years after October 30, 2000, the Secretary shall develop a comprehensive plan for the long-range protection and management of the Federal lands included in the Cooperative Management and Protection Area, including the Wilderness Area. The plan shall—

(1) describe the appropriate uses and management of the Cooperative Management and Protection Area consistent with this subchapter;

(2) incorporate, as appropriate, decisions contained in any current or future manage-

ment or activity plan for the Cooperative Management and Protection Area and use information developed in previous studies of the lands within or adjacent to the Cooperative Management and Protection Area;

(3) provide for coordination with State, county, and private local landowners and the Burns Paiute Tribe; and

(4) determine measurable and achievable management objectives, consistent with the management objectives in section 460nnn-12 of this title, to ensure the ecological integrity of the area.

(c) Monitoring

The Secretary shall implement a monitoring program for Federal lands in the Cooperative Management and Protection Area so that progress towards ecological integrity objectives can be determined.

(Pub. L. 106-399, title I, §111, Oct. 30, 2000, 114 Stat. 1659.)

REFERENCES IN TEXT

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

This subchapter, referred to in subsecs. (a) and (b)(1), was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-22. Roads and travel access

(a) Transportation plan

The management plan shall include, as an integral part, a comprehensive transportation plan for the Federal lands included in the Cooperative Management and Protection Area, which shall address the maintenance, improvement, and closure of roads and trails as well as travel access.

(b) Prohibition on off-road motorized travel

(1) Prohibition

The use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area—

(A) is prohibited off road; and

(B) is limited to such roads and trails as may be designated for their use as part of the management plan.

(2) Exceptions

Paragraph (1) does not prohibit the use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area if the Secretary determines that such use—

(A) is needed for administrative purposes or to respond to an emergency; or

(B) is appropriate for the construction or maintenance of agricultural facilities, fish and wildlife management, or ecological restoration projects, except in areas designated as wilderness or managed under the provisions of section 1782(c) of title 43.

(c) Road closures

Any determination to permanently close an existing road in the Cooperative Management and Protection Area or to restrict the access of motorized or mechanized vehicles on certain roads shall be made in consultation with the advisory council and the public.

(d) Prohibition on new construction**(1) Prohibition, exception**

No new road or trail for motorized or mechanized vehicles may be constructed on Federal lands in the Cooperative Management and Protection Area unless the Secretary determines that the road or trail is necessary for public safety or protection of the environment. Any determination under this subsection shall be made in consultation with the advisory council and the public.

(2) Trails

Nothing in this subsection is intended to limit the authority of the Secretary to construct or maintain trails for nonmotorized or nonmechanized use.

(e) Access to nonfederally owned lands**(1) Reasonable access**

The Secretary shall provide reasonable access to nonfederally owned lands or interests in land within the boundaries of the Cooperative Management and Protection Area and the Wilderness Area to provide the owner of the land or interest the reasonable use thereof.

(2) Effect on existing rights-of-way

Nothing in this subchapter shall have the effect of terminating any valid existing right-of-way on Federal lands included in the Cooperative Management and Protection Area.

(Pub. L. 106-399, title I, §112, Oct. 30, 2000, 114 Stat. 1660.)

§ 460nnn-23. Land use authorities**(a) In general**

The Secretary shall allow only such uses of the Federal lands included in the Cooperative Management and Protection Area as the Secretary finds will further the purposes for which the Cooperative Management and Protection Area is established.

(b) Commercial timber**(1) Prohibition**

The Federal lands included in the Cooperative Management and Protection Area shall not be made available for commercial timber harvest.

(2) Limited exception

The Secretary may authorize the removal of trees from Federal lands in the Cooperative Management and Protection Area only if the Secretary determines that the removal is clearly needed for purposes of ecological restoration and maintenance or for public safety. Except in the Wilderness Area and the wilderness study areas referred to in section 460nnn-64(a) of this title, the Secretary may authorize the sale of products resulting from the authorized removal of trees under this paragraph.

(c) Juniper management

The Secretary shall emphasize the restoration of the historic fire regime in the Cooperative Management and Protection Area and the resulting native vegetation communities through active management of Western Juniper on a landscape level. Management measures shall include the use of natural and prescribed burning.

(d) Hunting, fishing, and trapping**(1) Authorization**

The Secretary shall permit hunting, fishing, and trapping on Federal lands included in the Cooperative Management and Protection Area in accordance with applicable laws and regulations of the United States and the State of Oregon.

(2) Area and time limitations

After consultation with the Oregon Department of Fish and Wildlife, the Secretary may designate zones where, and establish periods when, hunting, trapping or fishing is prohibited on Federal lands included in the Cooperative Management and Protection Area for reasons of public safety, administration, or public use and enjoyment.

(e) Grazing**(1) Continuation of existing law**

Except as otherwise provided in this section and part F of this subchapter, the laws, regulations, and executive orders otherwise applicable to the Bureau of Land Management in issuing and administering grazing leases and permits on lands under its jurisdiction shall apply in regard to the Federal lands included in the Cooperative Management and Protection Area.

(2) Cancellation of certain permits

The Secretary shall cancel that portion of the permitted grazing on Federal lands in the Fish Creek/Big Indian, East Ridge, and South Steens allotments located within the area designated as the "no livestock grazing area" on the map referred to in section 460nnn-11(a) of this title. Upon cancellation, future grazing use in that designated area is prohibited. The Secretary shall be responsible for installing and maintaining any fencing required for resource protection within the designated no livestock grazing area.

(3) Forage replacement

Reallocation of available forage shall be made as follows:

(A) O'Keefe pasture within the Miners Field allotment to Stafford Ranches.

(B) Fields Seeding and Bone Creek Pasture east of the county road within the Miners Field allotment to Amy Ready.

(C) Miners Field Pasture, Schouver Seeding and Bone Creek Pasture west of the county road within the Miners Field allotment to Roaring Springs Ranch.

(D) 800 animal unit months within the Crows Nest allotment to Lowther (Clemens) Ranch.

(4) Fencing and water systems

The Secretary shall also construct fencing and develop water systems as necessary to

allow reasonable and efficient livestock use of the forage resources referred to in paragraph (3).

(f) Prohibition on construction of facilities

No new facilities may be constructed on Federal lands included in the Cooperative Management and Protection Area unless the Secretary determines that the structure—

- (1) will be minimal in nature;
- (2) is consistent with the purposes of this subchapter; and
- (3) is necessary—
 - (A) for enhancing botanical, fish, wildlife, or watershed conditions;
 - (B) for public information, health, or safety;
 - (C) for the management of livestock; or
 - (D) for the management of recreation, but not for the promotion of recreation.

(g) Withdrawal

Subject to valid existing rights, the Federal lands and interests in lands included in the Cooperative Management and Protection Areas are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, except in the case of land exchanges if the Secretary determines that the exchange furthers the purpose and objectives specified in section 460nnn-12 of this title and so certifies to Congress.

(Pub. L. 106-399, title I, §113, Oct. 30, 2000, 114 Stat. 1661.)

§ 460nnn-24. Land acquisition authority

(a) Acquisition

(1) Acquisition authorized

In addition to the land acquisitions authorized by part F of this subchapter, the Secretary may acquire other non-Federal lands and interests in lands located within the boundaries of the Cooperative Management and Protection Area or the Wilderness Area.

(2) Acquisition methods

Lands may be acquired under this subsection only by voluntary exchange, donation, or purchase from willing sellers.

(b) Treatment of acquired lands

(1) In general

Subject to paragraphs (2) and (3), lands or interests in lands acquired under subsection (a) of this section or part F of this subchapter that are located within the boundaries of the Cooperative Management and Protection Area shall—

- (A) become part of the Cooperative Management and Protection Area; and
- (B) be managed pursuant to the laws applicable to the Cooperative Management and Protection Area.

(2) Lands within Wilderness Area

If lands or interests in lands acquired under subsection (a) of this section or part F of this subchapter are within the boundaries of the Wilderness Area, the acquired lands or interests in lands shall—

- (A) become part of the Wilderness Area; and

(B) be managed pursuant to part B of this subchapter and the other laws applicable to the Wilderness Area.

(3) Lands within wilderness study area

If the lands or interests in lands acquired under subsection (a) of this section or part F of this subchapter are within the boundaries of a wilderness study area, the acquired lands or interests in lands shall—

- (A) become part of that wilderness study area; and
- (B) be managed pursuant to the laws applicable to that wilderness study area.

(c) Appraisal

In appraising non-Federal land, development rights, or conservation easements for possible acquisition under this section or section 460nnn-42 of this title, the Secretary shall disregard any adverse impacts on values resulting from the designation of the Cooperative Management and Protection Area or the Wilderness Area.

(Pub. L. 106-399, title I, §114, Oct. 30, 2000, 114 Stat. 1662.)

§ 460nnn-25. Special use permits

The Secretary may renew a special recreational use permit applicable to lands included in the Wilderness Area to the extent that the Secretary determines that the permit is consistent with the Wilderness Act (16 U.S.C. 1131 et seq.). If renewal is not consistent with the Wilderness Act, the Secretary shall seek other opportunities for the permit holder through modification of the permit to realize historic permit use to the extent that the use is consistent with the Wilderness Act and this subchapter, as determined by the Secretary.

(Pub. L. 106-399, title I, §115, Oct. 30, 2000, 114 Stat. 1663.)

REFERENCES IN TEXT

The Wilderness Act, referred to in text, is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

SUBPART 3—COOPERATIVE MANAGEMENT

§ 460nnn-41. Cooperative management agreements

(a) Cooperative efforts

To further the purposes and objectives for which the Cooperative Management and Protection Area is designated, the Secretary may work with non-Federal landowners and other parties who voluntarily agree to participate in the cooperative management of Federal and non-Federal lands in the Cooperative Management and Protection Area.

(b) Agreements authorized

The Secretary may enter into a cooperative management agreement with any party to provide for the cooperative conservation and management of the Federal and non-Federal lands subject to the agreement.

(c) Other participants

With the consent of the landowners involved, the Secretary may permit permittees, special-use permit holders, other Federal and State agencies, and interested members of the public to participate in a cooperative management agreement as appropriate to achieve the resource or land use management objectives of the agreement.

(d) Tribal cultural site protection

The Secretary may enter into agreements with the Burns Paiute Tribe to protect cultural sites in the Cooperative Management and Protection Area of importance to the tribe.

(Pub. L. 106-399, title I, §121, Oct. 30, 2000, 114 Stat. 1663.)

§ 460nnn-42. Cooperative efforts to control development and encourage conservation**(a) Policy**

Development on public and private lands within the boundaries of the Cooperative Management and Protection Area which is different from the current character and uses of the lands is inconsistent with the purposes of this subchapter.

(b) Use of nondevelopment and conservation easements

The Secretary may enter into a nondevelopment easement or conservation easement with willing landowners to further the purposes of this subchapter.

(c) Conservation incentive payments

The Secretary may provide technical assistance, cost-share payments, incentive payments, and education to a private landowner in the Cooperative Management and Protection Area who enters into a contract with the Secretary to protect or enhance ecological resources on the private land covered by the contract if those protections or enhancements benefit public lands.

(d) Relation to property rights and State and local law

Nothing in this subchapter is intended to affect rights or interests in real property or supersede State law.

(Pub. L. 106-399, title I, §122, Oct. 30, 2000, 114 Stat. 1664.)

SUBPART 4—ADVISORY COUNCIL

§ 460nnn-51. Establishment of advisory council**(a) Establishment**

The Secretary shall establish the Steens Mountain Advisory Council to advise the Secretary in managing the Cooperative Management and Protection Area and in promoting the cooperative management under subpart 3 of this part.

(b) Members

The advisory council shall consist of 12 voting members, to be appointed by the Secretary, as follows:

(1) A private landowner in the Cooperative Management and Protection Area, appointed

from nominees submitted by the county court for Harney County, Oregon.

(2) Two persons who are grazing permittees on Federal lands in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(3) A person interested in fish and recreational fishing in the Cooperative Management and Protection Area, appointed from nominees submitted by the Governor of Oregon.

(4) A member of the Burns Paiute Tribe, appointed from nominees submitted by the Burns Paiute Tribe.

(5) Two persons who are recognized environmental representatives, one of whom shall represent the State as a whole, and one of whom is from the local area, appointed from nominees submitted by the Governor of Oregon.

(6) A person who participates in what is commonly called dispersed recreation, such as hiking, camping, nature viewing, nature photography, bird watching, horse back riding, or trail walking, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(7) A person who is a recreational permit holder or is a representative of a commercial recreation operation in the Cooperative Management and Protection Area, appointed from nominees submitted jointly by the Oregon State Director of the Bureau of Land Management and the county court for Harney County, Oregon.

(8) A person who participates in what is commonly called mechanized or consumptive recreation, such as hunting, fishing, off-road driving, hang gliding, or parasailing, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(9) A person with expertise and interest in wild horse management on Steens Mountain, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(10) A person who has no financial interest in the Cooperative Management and Protection Area to represent statewide interests, appointed from nominees submitted by the Governor of Oregon.

(c) Consultation

In reviewing nominees submitted under subsection (b) of this section for possible appointment to the advisory council, the Secretary shall consult with the respective community of interest that the nominees are to represent to ensure that the nominees have the support of their community of interest.

(d)¹ Terms**(1) Staggered terms**

Members of the advisory council shall be appointed for terms of 3 years, except that, of the members first appointed, four members shall be appointed for a term of 1 year and four members shall be appointed for a term of 2 years.

¹ So in original. Two subsecs. (d) have been enacted.

(2) Reappointment

A member may be reappointed to serve on the advisory council.

(3) Vacancy

A vacancy on the advisory council shall be filled in the same manner as the original appointment.

(d)¹ Chairperson and procedures

The advisory council shall elect a chairperson and establish such rules and procedures as it deems necessary or desirable.

(e) Service without compensation

Members of the advisory council shall serve without pay, but the Secretary shall reimburse members for reasonable expenses incurred in carrying out official duties as a member of the council.

(f) Administrative support

The Secretary shall provide the advisory council with necessary administrative support and shall designate an appropriate officer of the Bureau of Land Management to serve as the Secretary's liaison to the council.

(g) State liaison

The Secretary shall appoint one person, nominated by the Governor of Oregon, to serve as the State government liaison to the advisory council.

(h) Applicable law

The advisory committee² shall be subject to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the Federal Advisory Committee Act (5 U.S.C. App.).

(Pub. L. 106-399, title I, §131, Oct. 30, 2000, 114 Stat. 1664.)

REFERENCES IN TEXT

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

The Federal Advisory Committee Act, referred to in subsec. (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 460nnn-52. Advisory role in management activities**(a) Management recommendations**

The advisory committee¹ shall utilize sound science, existing plans for the management of Federal lands included in the Cooperative Management and Protection Area, and other tools to formulate recommendations for the Secretary regarding—

(1) new and unique approaches to the management of lands within the boundaries of the Cooperative Management and Protection Area; and

(2) cooperative programs and incentives for seamless landscape management that meets

human needs and maintains and improves the ecological and economic integrity of the Cooperative Management and Protection Area.

(b) Preparation of management plan

The Secretary shall consult with the advisory committee¹ as part of the preparation and implementation of the management plan.

(c) Submission of recommendations

No recommendations may be presented to the Secretary by the advisory council without the agreement of at least nine members of the advisory council.

(Pub. L. 106-399, title I, §132, Oct. 30, 2000, 114 Stat. 1665.)

§ 460nnn-53. Science committee

The Secretary shall appoint, as needed or at the request of the advisory council, a team of respected, knowledgeable, and diverse scientists to provide advice on questions relating to the management of the Cooperative Management and Protection Area to the Secretary and the advisory council. The Secretary shall seek the advice of the advisory council in making these appointments.

(Pub. L. 106-399, title I, §133, Oct. 30, 2000, 114 Stat. 1666.)

PART B—STEENS MOUNTAIN WILDERNESS AREA

§ 460nnn-61. Designation of Steens Mountain Wilderness Area

The Federal lands in the Cooperative Management and Protection Area depicted as wilderness on the map entitled "Steens Mountain Wilderness Area" and dated September 18, 2000, are hereby designated as wilderness and therefore as a component of the National Wilderness Preservation System. The wilderness area shall be known as the Steens Mountain Wilderness Area.

(Pub. L. 106-399, title II, §201, Oct. 30, 2000, 114 Stat. 1666.)

CODIFICATION

Section is comprised of section 201 of Pub. L. 106-399. Section 201 also enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

§ 460nnn-62. Administration of Wilderness Area**(a) General rule**

The Secretary shall administer the Wilderness Area in accordance with this part and the Wilderness Act (16 U.S.C. 1131 et seq.). Any reference in the Wilderness Act to the effective date of that Act (or any similar reference) shall be deemed to be a reference to October 30, 2000.

(b) Wilderness boundaries along roads

Where a wilderness boundary exists along a road, the wilderness boundary shall be set back from the centerline of the road, consistent with the Bureau of Land Management's guidelines as established in its Wilderness Management Policy.

(c) Access to non-Federal lands

The Secretary shall provide reasonable access to private lands within the boundaries of the

² So in original. Probably should be "advisory council".

¹ So in original. Probably should be "advisory council".

Wilderness Area, as provided in section 460nnn-22(d)¹ of this title.

(d) Grazing

(1) Administration

Except as provided in section 460nnn-23(e)(2) of this title, grazing of livestock shall be administered in accordance with the provision of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), in accordance with the provisions of this subchapter, and in accordance with the guidelines set forth in Appendices A and B of House Report 101-405 of the 101st Congress.

(2) Retirement of certain permits

The Secretary shall permanently retire all grazing permits applicable to certain lands in the Wilderness Area, as depicted on the map referred to in section 460nnn-11(a) of this title, and livestock shall be excluded from these lands.

(Pub. L. 106-399, title II, §202, Oct. 30, 2000, 114 Stat. 1666.)

REFERENCES IN TEXT

The Wilderness Act, referred to in subsec. (a), is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The effective date of the Wilderness Act, referred to in subsec. (a), means Sept. 3, 1964, the date of enactment of Pub. L. 88-577, which enacted chapter 23 of this title.

This subchapter, referred to in subsec. (d)(1), was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-63. Water rights

Nothing in this subchapter shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(Pub. L. 106-399, title II, §203, Oct. 30, 2000, 114 Stat. 1667.)

§ 460nnn-64. Treatment of wilderness study areas

(a) Status unaffected

Except as provided in section 460nnn-92 of this title, any wilderness study area, or portion of a wilderness study area, within the boundaries of the Cooperative Management and Protection Area, but not included in the Wilderness Area, shall remain a wilderness study area notwithstanding the enactment of this subchapter.

(b) Management

The wilderness study areas referred to in subsection (a) of this section shall continue to be managed under section 1782(c) of title 43 in a manner so as not to impair the suitability of the areas for preservation as wilderness.

(c) Expansion of Basque Hills Wilderness Study Area

The boundaries of the Basque Hills Wilderness Study Area are hereby expanded to include the

Federal lands within sections 8, 16, 17, 21, 22, and 27 of township 36 south, range 31 east, Willamette Meridian. These lands shall be managed under section 1782(c) of title 43 to protect and enhance the wilderness values of these lands.

(Pub. L. 106-399, title II, §204, Oct. 30, 2000, 114 Stat. 1667.)

PART C—WILD AND SCENIC RIVERS AND TROUT RESERVE

§ 460nnn-71. Designation of streams for wild and scenic river status in Steens Mountain Area

(a), (b) Omitted

(c) Management

Where management requirements for a stream segment described in the amendments made by this section differ between the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) and the Wilderness Area, the more restrictive requirements shall apply.

(Pub. L. 106-399, title III, §301, Oct. 30, 2000, 114 Stat. 1667.)

REFERENCES IN TEXT

For the amendments made by this section, referred to in subsec. (c), see Codification note below.

The Wild and Scenic Rivers Act, referred to in subsec. (c), is Pub. L. 90-542, Oct. 2, 1968, 82 Stat. 906, as amended, which is classified generally to chapter 28 (§1271 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1271 of this title and Tables.

CODIFICATION

Section is comprised of section 301 of Pub. L. 106-399. Subsecs. (a) and (b) of section 301 of Pub. L. 106-399 amended section 1274 of this title.

§ 460nnn-72. Donner und Blitzen River Redband Trout Reserve

(a) Findings

The Congress finds the following:

(1) Those portions of the Donner und Blitzen River in the Wilderness Area are an exceptional environmental resource that provides habitat for unique populations of native fish, migratory waterfowl, and other wildlife resources, including a unique population of redband trout.

(2) Redband trout represent a unique natural history reflecting the Pleistocene connection between the lake basins of eastern Oregon and the Snake and Columbia Rivers.

(b) Designation of Reserve

The Secretary shall designate the Donner und Blitzen Redband Trout Reserve consisting of the Donner und Blitzen River in the Wilderness Area above its confluence with Fish Creek and the Federal riparian lands immediately adjacent to the river.

(c) Reserve purposes

The purposes of the Redband Trout Reserve are—

(1) to conserve, protect, and enhance the Donner und Blitzen River population of redband trout and the unique ecosystem of plants, fish, and wildlife of a river system; and

¹ So in original. Probably should be section “460nnn-22(e)”.

(2) to provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with paragraph (1).

(d) Exclusion of private lands

The Redband Trout Reserve does not include any private lands adjacent to the Donner und Blitzen River or its tributaries.

(e) Administration

(1) In general

The Secretary shall administer all lands, waters, and interests therein in the Redband Trout Reserve consistent with the Wilderness Act (16 U.S.C. 1131 et seq.) and the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(2) Consultation

In administering the Redband Trout Reserve, the Secretary shall consult with the advisory council and cooperate with the Oregon Department of Fish and Wildlife.

(3) Relation to recreation

To the extent consistent with applicable law, the Secretary shall manage recreational activities in the Redband Trout Reserve in a manner that conserves the unique population of redband trout native to the Donner und Blitzen River.

(4) Removal of dam

The Secretary shall remove the dam located below the mouth of Fish Creek and above Page Springs if removal of the dam is scientifically justified and funds are available for such purpose.

(f) Outreach and education

The Secretary may work with, provide technical assistance to, provide community outreach and education programs for or with, or enter into cooperative agreements with private landowners, State and local governments or agencies, and conservation organizations to further the purposes of the Redband Trout Reserve.

(Pub. L. 106-399, title III, §302, Oct. 30, 2000, 114 Stat. 1668.)

REFERENCES IN TEXT

The Wilderness Act, referred to in subsec. (e)(1), is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The Wild and Scenic Rivers Act, referred to in subsec. (e)(1), is Pub. L. 90-542, Oct. 2, 1968, 82 Stat. 906, as amended, which is classified generally to chapter 28 (§1271 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1271 of this title and Tables.

PART D—MINERAL WITHDRAWAL AREA

§ 460nnn-81. Designation of mineral withdrawal area

(a) Designation

Subject to valid existing rights, the Federal lands and interests in lands included within the withdrawal boundary as depicted on the map referred to in section 460nnn-11(a) of this title are hereby withdrawn from—

(1) location, entry and patent under the mining laws; and

(2) operation of the mineral leasing and geothermal leasing laws and from the minerals materials laws and all amendments thereto except as specified in subsection (b) of this section.

(b) Road maintenance

If consistent with the purposes of this subchapter and the management plan for the Cooperative Management and Protection Area, the Secretary may permit the development of saleable mineral resources, for road maintenance use only, in those locations identified on the map referred to in section 460nnn-11(a) of this title as an existing “gravel pit” within the mineral withdrawal boundaries (excluding the Wilderness Area, wilderness study areas, and designated segments of the National Wild and Scenic Rivers System) where such development was authorized before October 30, 2000.

(Pub. L. 106-399, title IV, §401, Oct. 30, 2000, 114 Stat. 1669.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-82. Treatment of State lands and mineral interests

(a) Acquisition required

The Secretary shall acquire, for approximately equal value and as agreed to by the Secretary and the State of Oregon, lands and interests in lands owned by the State within the boundaries of the mineral withdrawal area designated pursuant to section 460nnn-81 of this title.

(b) Acquisition methods

The Secretary shall acquire such State lands and interests in lands in exchange for—

(1) Federal lands or Federal mineral interests that are outside the boundaries of the mineral withdrawal area;

(2) a monetary payment to the State; or

(3) a combination of a conveyance under paragraph (1) and a monetary payment under paragraph (2).

(Pub. L. 106-399, title IV, §402, Oct. 30, 2000, 114 Stat. 1669.)

PART E—ESTABLISHMENT OF WILDLANDS
JUNIPER MANAGEMENT AREA

§ 460nnn-91. Wildlands Juniper Management Area

(a) Establishment

To further the purposes of section 460nnn-23(c) of this title, the Secretary shall establish a special management area consisting of certain Federal lands in the Cooperative Management and Protection Area, as depicted on the map referred to in section 460nnn-11(a) of this title, which shall be known as the Wildlands Juniper Management Area.

(b) Management

Special management practices shall be adopted for the Wildlands Juniper Management Area for the purposes of experimentation, education, interpretation, and demonstration of active and passive management intended to restore the historic fire regime and native vegetation communities on Steens Mountain.

(c) Authorization of appropriations

In addition to the authorization of appropriations in section 460nnn-121 of this title, there is authorized to be appropriated \$5,000,000 to carry out this part and section 460nnn-23(c) of this title regarding juniper management in the Cooperative Management and Protection Area.

(Pub. L. 106-399, title V, §501, Oct. 30, 2000, 114 Stat. 1670.)

§ 460nnn-92. Release from wilderness study area status

The Federal lands included in the Wildlands Juniper Management Area established under section 460nnn-91 of this title are no longer subject to the requirement of section 1782(c) of title 43 pertaining to managing the lands so as not to impair the suitability of the lands for preservation as wilderness.

(Pub. L. 106-399, title V, §502, Oct. 30, 2000, 114 Stat. 1670.)

PART F—LAND EXCHANGES

§ 460nnn-101. Land exchange, Roaring Springs Ranch**(a) Exchange authorized**

For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with Roaring Springs Ranch, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 460nnn-105(a) of this title, consisting of a total of approximately 76,374 acres in exchange for the private lands described in subsection (b) of this section.

(b) Receipt of non-Federal lands

As consideration for the conveyance of the Federal lands referred to in subsection (a) of this section and the disbursement referred to in subsection (d) of this section, Roaring Springs Ranch, Incorporated, shall convey to the Secretary parcels of land consisting of approximately 10,909 acres, as depicted on the map referred to in section 460nnn-105(a) of this title, for inclusion in the Wilderness Area, a wilderness study area, and the no livestock grazing area as appropriate.

(c) Treatment of grazing

Paragraphs (2) and (3) of section 460nnn-23(e) of this title, relating to the effect of the cancellation in part of grazing permits for the South Steens allotment in the Wilderness Area and reassignment of use areas as described in paragraph (3)(C) of such section, shall apply to the land exchange authorized by this section.

(d) Disbursement

Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Roaring Springs Ranch, Incorporated, in the amount of \$2,889,000.

(e) Completion of conveyance

The Secretary shall complete the conveyance of the Federal lands under subsection (a) of this section within 70 days after the Secretary accepts the lands described in subsection (b) of this section.

(Pub. L. 106-399, title VI, §601, Oct. 30, 2000, 114 Stat. 1670.)

§ 460nnn-102. Land exchanges, C. M. Otley and Otley Brothers**(a) C. M. Otley exchange****(1) Exchange authorized**

For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with C. M. Otley to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 460nnn-105(a) of this title, consisting of a total of approximately 3,845 acres in exchange for the private lands described in paragraph (2).

(2) Receipt of non-Federal lands

As consideration for the conveyance of the Federal lands referred to in paragraph (1) and the disbursement referred to in paragraph (3), C. M. Otley shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately 851 acres, as depicted on the map referred to in section 460nnn-105(a) of this title, for inclusion in the Wilderness Area and the no livestock grazing area as appropriate.

(3) Disbursement

Upon completion of the land exchange authorized by this subsection, the Secretary is authorized to make a disbursement to C.M. Otley, in the amount of \$920,000.

(b) Otley Brothers exchange**(1) Exchange authorized**

For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with the Otley Brother's, Inc., to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 460nnn-105(a) of this title, consisting of a total of approximately 6,881 acres in exchange for the private lands described in paragraph (2).

(2) Receipt of non-Federal lands

As consideration for the conveyance of the Federal lands referred to in paragraph (1) and the disbursement referred to in subsection (3),

the Otley Brother's, Inc., shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately 505 acres, as depicted on the map referred to in section 460nnn-105(a) of this title, for inclusion in the Wilderness Area and the no livestock grazing area as appropriate.

(3) Disbursement

Upon completion of the land exchange authorized by this subsection, the Secretary is authorized to make a disbursement to Otley Brother's, Inc., in the amount of \$400,000.

(c) Completion of conveyance

The Secretary shall complete the conveyances of the Federal lands under subsections (a) and (b) of this section within 70 days after the Secretary accepts the lands described in such subsections.

(Pub. L. 106-399, title VI, §602, Oct. 30, 2000, 114 Stat. 1671.)

§ 460nnn-103. Land Exchange, Tom J. Davis Livestock, Incorporated

(a) Exchange authorized

For the purpose of protecting and consolidating Federal lands within the Wilderness Area, the Secretary may carry out a land exchange with Tom J. Davis Livestock, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 460nnn-105(a) of this title, consisting of a total of approximately 5,340 acres in exchange for the private lands described in subsection (b) of this section.

(b) Receipt of non-Federal lands

As consideration for the conveyance of the Federal lands referred to in subsection (a) of this section and the disbursement referred to in subsection (c) of this section, Tom J. Davis Livestock, Incorporated, shall convey to the Secretary a parcel of land consisting of approximately 5,103 acres, as depicted on the map referred to in section 460nnn-105(a) of this title, for inclusion in the Wilderness Area.

(c) Disbursement

Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Tom J. Davis Livestock, Incorporated, in the amount of \$800,000.

(d) Completion of conveyance

The Secretary shall complete the conveyance of the Federal lands under subsection (a) of this section within 70 days after the Secretary accepts the lands described in subsection (b) of this section.

(Pub. L. 106-399, title VI, §603, Oct. 30, 2000, 114 Stat. 1672.)

§ 460nnn-104. Land exchange, Lowther (Clemens) Ranch

(a) Exchange authorized

For the purpose of protecting and consolidating Federal lands within the Cooperative Man-

agement and Protection Area, the Secretary may carry out a land exchange with the Lowther (Clemens) Ranch to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 460nnn-105(a) of this title, consisting of a total of approximately 11,796 acres in exchange for the private lands described in subsection (b) of this section.

(b) Receipt of non-Federal lands

As consideration for the conveyance of the Federal lands referred to in subsection (a) of this section and the disbursement referred to in subsection (d) of this section, the Lowther (Clemens) Ranch shall convey to the Secretary a parcel of land consisting of approximately 1,078 acres, as depicted on the map referred to in section 460nnn-105(a) of this title, for inclusion in the Cooperative Management and Protection Area.

(c) Treatment of grazing

Paragraphs (2) and (3) of section 460nnn-23(e) of this title, relating to the effect of the cancellation in whole of the grazing permit for the Fish Creek/Big Indian allotment in the Wilderness Area and reassignment of use areas as described in paragraph (3)(D) of such section, shall apply to the land exchange authorized by this section.

(d) Disbursement

Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Lowther (Clemens) Ranch, in the amount of \$148,000.

(e) Completion of conveyance

The Secretary shall complete the conveyance of the Federal lands under subsection (a) of this section within 70 days after the Secretary accepts the lands described in subsection (b) of this section.

(Pub. L. 106-399, title VI, §604, Oct. 30, 2000, 114 Stat. 1672.)

§ 460nnn-105. General provisions applicable to land exchanges

(a) Map

The land conveyances described in this part are generally depicted on the map entitled "Steens Mountain Land Exchanges" and dated September 18, 2000.

(b) Applicable law

Except as otherwise provided in this section, the exchange of Federal land under this part is subject to the existing laws and regulations applicable to the conveyance and acquisition of land under the jurisdiction of the Bureau of Land Management. It is anticipated that the Secretary will be able to carry out such land exchanges without the promulgation of additional regulations and without regard to the notice and comment provisions of section 553 of title 5.

(c) Conditions on acceptance

Title to the non-Federal lands to be conveyed under this part must be acceptable to the Sec-

retary, and the conveyances shall be subject to valid existing rights of record. The non-Federal lands shall conform with the title approval standards applicable to Federal land acquisitions.

(d) Legal descriptions

The exact acreage and legal description of all lands to be exchanged under this part shall be determined by surveys satisfactory to the Secretary. The costs of any such survey, as well as other administrative costs incurred to execute a land exchange under this part, shall be borne by the Secretary.

(Pub. L. 106-399, title VI, §605, Oct. 30, 2000, 114 Stat. 1673.)

PART G—FUNDING AUTHORITIES

§ 460nnn-121. Authorization of appropriations

Except as provided in sections 460nnn-91(c) and 460nnn-122 of this title, there is hereby authorized to be appropriated such sums as may be necessary to carry out this subchapter.

(Pub. L. 106-399, title VII, §701, Oct. 30, 2000, 114 Stat. 1673.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-122. Use of land and water conservation fund

(a) Availability of fund

There are authorized to be appropriated \$25,000,000 from the land and water conservation fund established under section 460l-5 of this title to provide funds for the acquisition of land and interests in land under section 460nnn-24 of this title and to enter into nondevelopment easements and conservation easements under subsections (b) and (c) of section 460nnn-42 of this title.

(b) Term of use

Amounts appropriated pursuant to the authorization of appropriations in subsection (a) of this section shall remain available until expended.

(Pub. L. 106-399, title VII, §702, Oct. 30, 2000, 114 Stat. 1673.)

SUBCHAPTER CXXVI—LAS CIENEGAS NATIONAL CONSERVATION AREA

§ 460ooo. Definitions

For the purposes of this subchapter, the following definitions apply:

(1) Conservation Area

The term “Conservation Area” means the Las Cienegas National Conservation Area established by section 460ooo-3(a) of this title.

(2) Acquisition Planning District

The term “Acquisition Planning District” means the Sonoita Valley Acquisition Plan-

ning District established by section 460ooo-1(a) of this title.

(3) Management plan

The term “management plan” means the management plan for the Conservation Area.

(4) Public lands

The term “public lands” has the meaning given the term in section 1702(e) of title 43, except that such term shall not include interest in lands not owned by the United States.

(5) Secretary

The term “Secretary” means the Secretary of the Interior.

(Pub. L. 106-538, §1, Dec. 6, 2000, 114 Stat. 2563.)

§ 460ooo-1. Establishment of the Sonoita Valley Acquisition Planning District

(a) In general

In order to provide for future acquisitions of important conservation land within the Sonoita Valley region of the State of Arizona, there is hereby established the Sonoita Valley Acquisition Planning District.

(b) Areas included

The Acquisition Planning District shall consist of approximately 142,800 acres of land in the Arizona counties of Pima and Santa Cruz, including the Conservation Area, as generally depicted on the map entitled “Sonoita Valley Acquisition Planning District and Las Cienegas National Conservation Area” and dated October 2, 2000.

(c) Map and legal description

As soon as practicable after December 6, 2000, the Secretary shall submit to Congress a map and legal description of the Acquisition Planning District. In case of a conflict between the map referred to in subsection (b) of this section and the map and legal description submitted by the Secretary, the map referred to in subsection (b) of this section shall control. The map and legal description shall have the same force and effect as if included in this subchapter, except that the Secretary may correct clerical and topographical errors in such map and legal description. Copies of the map and legal description shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management, and in the appropriate office of the Bureau of Land Management in Arizona.

(Pub. L. 106-538, §2, Dec. 6, 2000, 114 Stat. 2563.)

§ 460ooo-2. Purposes of the Acquisition Planning District

(a) In general

The Secretary shall negotiate with land owners for the acquisition of lands and interest in lands suitable for Conservation Area expansion that meet the purposes described in section 460ooo-3(a) of this title. The Secretary shall only acquire property under this subchapter pursuant to section 460ooo-6 of this title.

(b) Federal lands

The Secretary, through the Bureau of Land Management, shall administer the public lands