

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

within the Acquisition Planning District pursuant to this subchapter and the applicable provisions of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), subject to valid existing rights, and in accordance with the management plan. Such public lands shall become part of the Conservation Area when they become contiguous with the Conservation Area.

**(c) Fish and wildlife**

Nothing in this subchapter shall be construed as affecting the jurisdiction or responsibilities of the State of Arizona with respect to fish and wildlife within the Acquisition Planning District.

**(d) Protection of State and private lands and interests**

Nothing in this subchapter shall be construed as affecting any property rights or management authority with regard to any lands or interest in lands held by the State of Arizona, any political subdivision of the State of Arizona, or any private property rights within the boundaries of the Acquisition Planning District.

**(e) Public lands**

Nothing in this subchapter shall be construed as in any way diminishing the Secretary's or the Bureau of Land Management's authorities, rights, or responsibilities for managing the public lands within the Acquisition Planning District.

**(f) Coordinated management**

The Secretary shall coordinate the management of the public lands within the Acquisition Planning District with that of surrounding county, State, and private lands consistent with the provisions of subsection (d) of this section.

(Pub. L. 106-538, §3, Dec. 6, 2000, 114 Stat. 2564.)

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (b), 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.

**§ 46000-3. Establishment of the Las Cienegas National Conservation Area**

**(a) In general**

In order to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important aquatic, wildlife, vegetative, archaeological, paleontological, scientific, cave, cultural, historical, recreational, educational, scenic, rangeland, and riparian resources and values of the public lands described in subsection (b) of this section while allowing livestock grazing and recreation to continue in appropriate areas, there is hereby established the Las Cienegas National Conservation Area in the State of Arizona.

**(b) Areas included**

The Conservation Area shall consist of approximately 42,000 acres of public lands in the Arizona counties of Pima and Santa Cruz, as

generally depicted on the map entitled "Sonoita Valley Acquisition Planning District and Las Cienegas National Conservation Area" and dated October 2, 2000.

**(c) Maps and legal description**

As soon as practicable after December 6, 2000, the Secretary shall submit to Congress a map and legal description of the Conservation Area. 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 typographical 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.

**(d) Forest lands**

Any lands included in the Coronado National Forest that are located within the boundaries of the Conservation Area shall be considered to be a part of the Conservation Area. The Secretary of Agriculture shall revise the boundaries of the Coronado National Forest to reflect the exclusion of such lands from the Coronado National Forest.

(Pub. L. 106-538, §4, Dec. 6, 2000, 114 Stat. 2564.)

**§ 46000-4. Management of the Las Cienegas National Conservation Area**

**(a) In general**

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 section 46000-3(a) of this title, 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.

**(b) Uses**

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 as set forth in section 46000-3(a) of this title.

**(c) Grazing**

The Secretary of the Interior shall permit grazing subject to all applicable laws, regulations, and Executive orders consistent with the purposes of this subchapter.

**(d) Motorized vehicles**

Except where needed for administrative purposes or to respond to an emergency, use of motorized vehicles on public lands in the Conservation Area shall be allowed only—

(1) before the effective date of a management plan prepared pursuant to section 46000-5 of this title, on roads and trails designated for use of motorized vehicles in the management plan that applies on December 6, 2000; and

(2) after the effective date of a management plan prepared pursuant to section 46000-5 of

this title, on roads and trails designated for use of motor vehicles in that management plan.

**(e) Military airspace**

Prior to December 6, 2000, the Federal Aviation Administration approved restricted military airspace (Areas 2303A and 2303B) which covers portions of the Conservation Area. Designation of the Conservation Area shall not impact or impose any altitude, flight, or other airspace restrictions on current or future military operations or missions. Should the military require additional or modified airspace in the future, the Congress does not intend for the designation of the Conservation Area to impede the military from petitioning the Federal Aviation Administration to change or expand existing restricted military airspace.

**(f) Access to State and private lands**

Nothing in this subchapter shall affect valid existing rights-of-way within the Conservation Area. The Secretary shall provide reasonable access to nonfederally owned lands or interest in lands within the boundaries of the Conservation Area.

**(g) Hunting**

Hunting shall be allowed within the Conservation Area in accordance with applicable laws and regulations of the United States and the State of Arizona, except that the Secretary, after consultation with the Arizona State wildlife management agency, may issue regulations designating zones where and establishing periods when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment.

**(h) Preventative measures**

Nothing in this subchapter shall preclude such measures as the Secretary determines necessary to prevent devastating fire or infestation of insects or disease within the Conservation Area.

**(i) No buffer zones**

The establishment of the Conservation Area shall not 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 consistent with other applicable laws.

**(j) Withdrawals**

Subject to valid existing rights all Federal lands within the Conservation Area and all lands and interest therein which are hereafter acquired by the United States are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws and from location, entry, and patent under the mining laws, and from operation of the mineral leasing and geothermal leasing laws and all amendments thereto.

(Pub. L. 106-538, § 5, Dec. 6, 2000, 114 Stat. 2565.)

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, 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.

**§ 46000-5. Management plan**

**(a) Plan required**

Not later than 2 years after December 6, 2000, the Secretary, through the Bureau of Land Management, shall develop and begin to implement a comprehensive management plan for the long-term management of the public lands within the Conservation Area in order to fulfill the purposes for which it is established, as set forth in section 46000-3(a) of this title. Consistent with the provisions of this subchapter, the management plan shall be developed—

(1) in consultation with appropriate departments of the State of Arizona, including wildlife and land management agencies, with full public participation;

(2) from the draft Empire-Cienega Ecosystem Management Plan/EIS, dated October 2000, as it applies to Federal lands or lands with conservation easements; and

(3) in accordance with the resource goals and objectives developed through the Sonoita Valley Planning Partnership process as incorporated in the draft Empire-Cienega Ecosystem Management Plan/EIS, dated October 2000, giving full consideration to the management alternative preferred by the Sonoita Valley Planning Partnership, as it applies to Federal lands or lands with conservation easements.

**(b) Contents**

The management plan shall include—

(1) provisions designed to ensure the protection of the resources and values described in section 46000-3(a) of this title;

(2) an implementation plan for a continuing program of interpretation and public education about the resources and values of the Conservation Area;

(3) a proposal for minimal administrative and public facilities to be developed or improved at a level compatible with achieving the resource objectives for the Conservation Area and with the other proposed management activities to accommodate visitors to the Conservation Area;

(4) cultural resources management strategies for the Conservation Area, prepared in consultation with appropriate departments of the State of Arizona, with emphasis on the preservation of the resources of 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;

(5) wildlife management strategies for the Conservation Area, prepared in consultation with appropriate departments of the State of Arizona and using previous studies of the Conservation Area;

(6) production livestock grazing management strategies, prepared in consultation with

appropriate departments of the State of Arizona;

(7) provisions designed to ensure the protection of environmentally sustainable livestock use on appropriate lands within the Conservation Area;

(8) recreation management strategies, including motorized and nonmotorized dispersed recreation opportunities for the Conservation Area, prepared in consultation with appropriate departments of the State of Arizona;

(9) cave resources management strategies prepared in compliance with the goals and objectives of the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 et seq.); and

(10) provisions designed to ensure that if a road or trail located on public lands within the Conservation Area, or any portion of such a road or trail, is removed, consideration shall be given to providing similar alternative access to the portion of the Conservation Area serviced by such removed road or trail.

**(c) Cooperative agreements**

In order to better implement the management plan, the Secretary may enter into cooperative agreements with appropriate Federal, State, and local agencies pursuant to section 1737(b) of title 43.

**(d) Research activities**

In order to assist in the development and implementation of the management plan, the Secretary may authorize appropriate research, including research concerning the environmental, biological, hydrological, cultural, agricultural, recreational, and other characteristics, resources, and values of the Conservation Area, pursuant to section 1737(a) of title 43.

(Pub. L. 106-538, § 6, Dec. 6, 2000, 114 Stat. 2566.)

REFERENCES IN TEXT

The Archaeological Resources Protection Act of 1979, referred to in subsec. (b)(4), is Pub. L. 96-95, Oct. 31, 1979, 93 Stat. 721, as amended, which is classified generally to chapter 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. (b)(4), 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(a) of this title and Tables.

The Federal Cave Resources Protection Act of 1988, referred to in subsec. (b)(9), is Pub. L. 100-691, Nov. 18, 1988, 102 Stat. 4546, which is classified generally to chapter 63 (§4301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4301 of this title and Tables.

**§ 46000-6. Land acquisition**

**(a) In general**

**(1) Priority to conservation easements**

In acquiring lands or interest in lands under this section, the Secretary shall give priority to such acquisitions in the form of conservation easements.

**(2) Private lands**

The Secretary is authorized to acquire privately held lands or interest in lands within

the boundaries of the Acquisition Planning District only from a willing seller through donation, exchange, or purchase.

**(3) County lands**

The Secretary is authorized to acquire county lands or interest in lands within the boundaries of the Acquisition Planning District only with the consent of the county through donation, exchange, or purchase.

**(4) State lands**

**(A) In general**

The Secretary is authorized to acquire lands or interest in lands owned by the State of Arizona located within the boundaries of the Acquisition Planning District only with the consent of the State and in accordance with State law, by donation, exchange, or purchase.

**(B) Consideration**

As consideration for the acquisitions by the United States of lands or interest in lands under this paragraph, the Secretary shall pay fair market value for such lands or shall convey to the State of Arizona all or some interest in Federal lands (including buildings and other improvements on such lands or other Federal property other than real property) or any other asset of equal value within the State of Arizona.

**(C) Transfer of jurisdiction**

All Federal agencies are authorized to transfer jurisdiction of Federal lands or interest in lands (including buildings and other improvements on such lands or other Federal property other than real property) or any other asset within the State of Arizona to the Bureau of Land Management for the purpose of acquiring lands or interest in lands as provided for in this paragraph.

**(b) Management of acquired lands**

Lands acquired under this section shall, upon acquisition, become part of the Conservation Area and shall be administered as part of the Conservation Area. These lands shall be managed in accordance with this subchapter, other applicable laws, and the management plan.

(Pub. L. 106-538, § 7, Dec. 6, 2000, 114 Stat. 2567.)

**§ 46000-7. Reports to Congress**

**(a) Protection of certain lands**

Not later than 2 years after December 6, 2000, the Secretary shall submit to Congress a report describing the most effective measures to protect the lands north of the Acquisition Planning District within the Rincon Valley, Colossal Cave area, and Agua Verde Creek corridor north of Interstate 10 to provide an ecological link to Saguaro National Park and the Rincon Mountains and contribute to local government conservation priorities.

**(b) Implementation of this subchapter**

Not later than 5 years after December 6, 2000, and at least at the end of every 10-year period thereafter, the Secretary shall submit to Congress a report describing the implementation of this subchapter, the condition of the resources

and values of the Conservation Area, and the progress of the Secretary in achieving the purposes for which the Conservation Area is established as set forth in section 460000-3(a) of this title.

(Pub. L. 106-538, § 8, Dec. 6, 2000, 114 Stat. 2568.)

SUBCHAPTER CXXVII—BLACK ROCK DESERT-HIGH ROCK CANYON EMIGRANT TRAILS NATIONAL CONSERVATION AREA

**§ 460ppp. Findings**

The Congress finds the following:

(1) The areas of northwestern Nevada known as the Black Rock Desert and High Rock Canyon contain and surround the last nationally significant, untouched segments of the historic California emigrant Trails,<sup>1</sup> including wagon ruts, historic inscriptions, and a wilderness landscape largely unchanged since the days of the pioneers.

(2) The relative absence of development in the Black Rock Desert and high<sup>2</sup> Rock Canyon areas from emigrant times to the present day offers a unique opportunity to capture the terrain, sights, and conditions of the overland trails as they were experienced by the emigrants and to make available to both present and future generations of Americans the opportunity of experiencing emigrant conditions in an unaltered setting.

(3) The Black Rock Desert and High Rock Canyon areas are unique segments of the Northern Great Basin and contain broad representation of the Great Basin's land forms and plant and animal species, including golden eagles and other birds of prey, sage grouse, mule deer, pronghorn antelope, bighorn sheep, free roaming horses and burros, threatened fish and sensitive plants.

(4) The Black Rock-High Rock region contains a number of cultural and natural resources that have been declared eligible for National Historic Landmark and Natural Landmark status, including a portion of the 1843-44 John Charles Fremont exploration route, the site of the death of Peter Lassen, early military facilities, and examples of early homesteading and mining.

(5) The archeological, paleontological, and geographical resources of the Black Rock-High Rock region include numerous prehistoric and historic Native American sites, woolly mammoth sites, some of the largest natural potholes of North America, and a remnant dry Pleistocene lakebed (playa) where the curvature of the Earth may be observed.

(6) The two large wilderness mosaics that frame the conservation area offer exceptional opportunities for solitude and serve to protect the integrity of the viewshed of the historic emigrant trails.

(7) Public lands in the conservation area have been used for domestic livestock grazing for over a century, with resultant benefits to community stability and contributions to the local and State economies. It has not been

demonstrated that continuation of this use would be incompatible with appropriate protection and sound management of the resource values of these lands; therefore, it is expected that such grazing will continue in accordance with the management plan for the conservation area and other applicable laws and regulations.

(8) The Black Rock Desert playa is a unique natural resource that serves as the primary destination for the majority of visitors to the conservation area, including visitors associated with large-scale permitted events. It is expected that such permitted events will continue to be administered in accordance with the management plan for the conservation area and other applicable laws and regulations.

(Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 125 [§ 2]], Dec. 21, 2000, 114 Stat. 2763, 2763A-229, 2763A-353.)

SHORT TITLE

Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 125 [§ 1]], Dec. 21, 2000, 114 Stat. 2763, 2763A-229, 2763A-353, provided that: "This Act [S. 2273, as enacted by section 1(a)(4)[div. B, title I, § 125] of Pub. L. 106-554, enacting this subchapter and provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the 'Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000'."

**§ 460ppp-1. Definitions**

As used in this subchapter:

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "public lands" has the meaning stated in section 1702(e) of title 43.

(3) The term "conservation area" means the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area established pursuant to section 460ppp-2 of this title.

(Pub. L. 106-554, § 1(a)(4) [div. B, title I, § 125 [§ 3]], Dec. 21, 2000, 114 Stat. 2763, 2763A-229, 2763A-354.)

**§ 460ppp-2. Establishment of the conservation area**

**(a) Establishment and purposes**

In order to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important historical, cultural, paleontological, scenic, scientific, biological, educational, wildlife, riparian, wilderness, endangered species, and recreational values and resources associated with the Applegate-Lassen and Nobles Trails corridors and surrounding areas, there is hereby established the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area in the State of Nevada.

**(b) Areas included**

The conservation area shall consist of approximately 797,100 acres of public lands as generally depicted on the map entitled "Black Rock Desert Emigrant Trail National Conservation Area" and dated October 3, 2001.

**(c) Maps and legal description**

As soon as practicable after December 21, 2000, the Secretary shall submit to Congress a map

<sup>1</sup> So in original. Probably should not be capitalized.

<sup>2</sup> So in original. Probably should be capitalized.