

(2) Limitations**(A) Regulations**

The Secretary may designate by regulation areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Conservation Area.

(B) Consultation

Except in emergencies, the Secretary shall consult with the appropriate State agency before promulgating regulations under subparagraph (A) that close a portion of the Conservation Area to hunting, fishing, or trapping.

(g) No buffer zones**(1) In general**

The establishment of the Conservation Area shall not create an express or implied protective perimeter or buffer zone around the Conservation Area.

(2) Private land

If the use of, or conduct of an activity on, private land that shares a boundary with the Conservation Area is consistent with applicable law, nothing in this subchapter concerning the establishment of the Conservation Area shall prohibit or limit the use or conduct of the activity.

(Pub. L. 107-282, title VI, § 605, Nov. 6, 2002, 116 Stat. 2010.)

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a)(2)(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.

This Act, referred to in subsec. (a)(2)(B), is Pub. L. 107-282, Nov. 6, 2002, 116 Stat. 1994, known as the Clark County Conservation of Public Land and Natural Resources Act of 2002. For complete classification of this Act to the Code, see Short Title note set out under section 460qqq of this title and Tables.

Section 208, referred to in subsec. (b)(2)(B)(i)(II), is section 208 of Pub. L. 107-282, Nov. 6, 2002, 116 Stat. 2005, which is not classified to the Code.

§ 460qqq-4. Sale of Federal parcel**(a) In general**

Notwithstanding sections 1712 and 1713 of title 43 and subject to valid existing rights, not later than 1 year after November 6, 2002, the Secretary shall convey to the highest qualified bidder all right, title, and interest of the United States in and to the Federal parcel.

(b) Disposition of proceeds

Of the gross proceeds from the conveyance of land under subsection (a) of this section—

(1) 5 percent shall be available to the State for use in the general education program of the State; and

(2) the remainder shall be deposited in the special account established under the Southern Nevada Public Lands Management Act of 1998 (Public Law 105-263; 112 Stat. 2345), to be

available to the Secretary, without further appropriation for—

(A) the construction and operation of facilities to support the management of the Conservation Area;

(B) the construction and repair of trails and roads in the Conservation Area authorized under the management plan;

(C) research on and interpretation of the archaeological and geological resources of the Conservation Area;

(D) conservation and research relating to the Conservation Area; and

(E) any other purpose that the Secretary determines to be consistent with the purpose described in section 460qqq of this title.

(Pub. L. 107-282, title VI, § 606, Nov. 6, 2002, 116 Stat. 2012.)

REFERENCES IN TEXT

The Southern Nevada Public Lands Management Act of 1998, referred to in subsec. (b)(2), probably means the Southern Nevada Public Land Management Act of 1998, Pub. L. 105-263, Oct. 19, 1998, 112 Stat. 2343, which amended section 460ccc-1 of this title and section 6901 of Title 31, Money and Finance, and enacted provisions set out as a note under section 6901 of Title 31. For complete classification of this Act to the Code, see Short Title of 1998 Amendment note set out under section 6901 of Title 31 and Tables.

§ 460qqq-5. Right-of-way

Not later than 180 days after November 6, 2002, the Secretary shall convey to the City of Henderson the public right-of-way requested for public trail purposes under the application numbered N-76312 and the public right-of-way requested for public trail purposes under the application numbered N-65874.

(Pub. L. 107-282, title VI, § 607, Nov. 6, 2002, 116 Stat. 2012.)

SUBCHAPTER CXXIX—RIO GRANDE
NATURAL AREA**§ 460rrr. Definitions**

In this subchapter:

(1) Commission

The term “Commission” means the Rio Grande Natural Area Commission established by section 460rrr-2(a) of this title.

(2) Natural Area

The term “Natural Area” means the Rio Grande Natural Area established by section 460rrr-1(a) of this title.

(3) Secretary

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

(Pub. L. 109-337, § 2, Oct. 12, 2006, 120 Stat. 1777.)

SHORT TITLE

Pub. L. 109-337, § 1, Oct. 12, 2006, 120 Stat. 1777, provided that: “This Act [enacting this subchapter] may be cited as the ‘Rio Grande Natural Area Act.’”

§ 460rrr-1. Establishment of Rio Grande Natural Area**(a) In general**

There is established the Rio Grande Natural Area in the State of Colorado to conserve, re-

store, and protect the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area.

(b) Boundaries

The Natural Area shall include the Rio Grande River from the southern boundary of the Alamosa National Wildlife Refuge to the New Mexico State border, extending $\frac{1}{4}$ mile on either side of the bank of the River.

(c) Map and legal description

(1) In general

As soon as practicable after October 12, 2006, the Secretary shall prepare a map and legal description of the Natural Area.

(2) Effect

The map and legal description of the Natural Area shall have the same force and effect as if included in this subchapter, except that the Secretary may correct any minor errors in the map and legal description.

(3) Public availability

The map and legal description of the Natural Area shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

(Pub. L. 109-337, §3, Oct. 12, 2006, 120 Stat. 1777.)

§ 460rrr-2. Establishment of the Commission

(a) Establishment

There is established the Rio Grande Natural Area Commission.

(b) Purpose

The Commission shall—

- (1) advise the Secretary with respect to the Natural Area; and
- (2) prepare a management plan relating to non-Federal land in the Natural Area under section 460rrr-4(b)(2)(A) of this title.

(c) Membership

The Commission shall be composed of 9 members appointed by the Secretary, of whom—

- (1) 1 member shall represent the Colorado State Director of the Bureau of Land Management;
- (2) 1 member shall be the manager of the Alamosa National Wildlife Refuge, ex officio;
- (3) 3 members shall be appointed based on the recommendation of the Governor of Colorado, of whom—
 - (A) 1 member shall represent the Colorado Division of Wildlife;
 - (B) 1 member shall represent the Colorado Division of Water Resources; and
 - (C) 1 member shall represent the Rio Grande Water Conservation District; and

(4) 4 members shall—

- (A) represent the general public;
- (B) be citizens of the local region in which the Natural Area is established; and
- (C) have knowledge and experience in the fields of interest relating to the preservation, restoration, and use of the Natural Area.

(d) Terms of office

(1) In general

Except for the manager of the Alamosa National Wildlife Refuge, the term of office of a member of the Commission shall be 5 years.

(2) Reappointment

A member may be reappointed to the Commission on completion of the term of office of the member.

(e) Compensation

A member of the Commission shall serve without compensation for service on the Commission.

(f) Chairperson

The Commission shall elect a chairperson of the Commission.

(g) Meetings

(1) In general

The Commission shall meet at least quarterly at the call of the chairperson.

(2) Public meetings

A meeting of the Commission shall be open to the public.

(3) Notice

Notice of any meeting of the Commission shall be published in advance of the meeting.

(h) Technical assistance

The Secretary and the heads of other Federal agencies shall, to the maximum extent practicable, provide any information and technical services requested by the Commission to assist in carrying out the duties of the Commission.

(Pub. L. 109-337, §4, Oct. 12, 2006, 120 Stat. 1777.)

§ 460rrr-3. Powers of the Commission

(a) Hearings

The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this subchapter.

(b) Cooperative agreements

(1) In general

For purposes of carrying out the management plan on non-Federal land in the Natural Area, the Commission may enter into a cooperative agreement with the State of Colorado, a political subdivision of the State, or any person.

(2) Requirements

A cooperative agreement entered into under paragraph (1) shall establish procedures for providing notice to the Commission of any action proposed by the State of Colorado, a political subdivision of the State, or any person that may affect the implementation of the management plan on non-Federal land in the Natural Area.

(3) Effect

A cooperative agreement entered into under paragraph (1) shall not enlarge or diminish any right or duty of a Federal agency under Federal law.

(c) Prohibition of acquisition of real property

The Commission may not acquire any real property or interest in real property.

(d) Implementation of management plan

(1) In general

The Commission shall assist the Secretary in implementing the management plan by car-

rying out the activities described in paragraph (2) to preserve and interpret the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area.

(2) Authorized activities

In assisting with the implementation of the management plan under paragraph (1), the Commission may—

(A) assist the State of Colorado in preserving State land and wildlife within the Natural Area;

(B) assist the State of Colorado and political subdivisions of the State in increasing public awareness of, and appreciation for, the natural, historic, scientific, scenic, wildlife, and recreational resources in the Natural Area;

(C) encourage political subdivisions of the State of Colorado to adopt and implement land use policies that are consistent with—

(i) the management of the Natural Area; and

(ii) the management plan; and

(D) encourage and assist private landowners in the Natural Area in the implementation of the management plan.

(Pub. L. 109-337, §5, Oct. 12, 2006, 120 Stat. 1778.)

§ 460rrr-4. Management plan

(a) In general

Not later than 4 years after October 12, 2006, the Secretary and the Commission, in coordination with appropriate agencies in the State of Colorado, political subdivisions of the State, and private landowners in the Natural Area, shall prepare management plans for the Natural Area as provided in subsection (b).

(b) Duties of Secretary and Commission

(1) Secretary

The Secretary shall prepare a management plan relating to the management of Federal land in the Natural Area.

(2) Commission

(A) In general

The Commission shall prepare a management plan relating to the management of the non-Federal land in the Natural Area.

(B) Approval or disapproval

(i) In general

The Commission shall submit to the Secretary the management plan prepared under subparagraph (A) for approval or disapproval.

(ii) Action following disapproval

If the Secretary disapproves the management plan submitted under clause (i), the Secretary shall—

(I) notify the Commission of the reasons for the disapproval; and

(II) allow the Commission to submit to the Secretary revisions to the management plan submitted under clause (i).

(3) Cooperation

The Secretary and the Commission shall cooperate to ensure that the management plans

relating to the management of Federal land and non-Federal land are consistent.

(c) Requirements

The management plans shall—

(1) take into consideration Federal, State, and local plans in existence on October 12, 2006, to present a unified preservation, restoration, and conservation plan for the Natural Area;

(2) with respect to Federal land in the Natural Area—

(A) be developed in accordance with section 1712 of title 43;

(B) be consistent, to the maximum extent practicable, with the management plans adopted by the Director of the Bureau of Land Management for land adjacent to the Natural Area; and

(C) be considered to be an amendment to the San Luis Resource Management Plan of the Bureau of Land Management; and

(3) include—

(A) an inventory of the resources contained in the Natural Area (including a list of property in the Natural Area that should be preserved, restored, managed, developed, maintained, or acquired to further the purposes of the Natural Area); and

(B) a recommendation of policies for resource management, including the use of intergovernmental cooperative agreements, that—

(i) protect the resources of the Natural Area; and

(ii) provide for solitude, quiet use, and pristine natural values of the Natural Area.

(d) Publication

The Secretary shall publish notice of the management plans in the Federal Register.

(Pub. L. 109-337, §6, Oct. 12, 2006, 120 Stat. 1779.)

§ 460rrr-5. Administration of Natural Area

(a) In general

The Secretary shall administer the Federal land in the Natural Area—

(1) in accordance with—

(A) the laws (including regulations) applicable to public land; and

(B) the management plan; and

(2) in a manner that provides for—

(A) the conservation, restoration, and protection of the natural, historic, scientific, scenic, wildlife, and recreational resources of the Natural Area;

(B) the continued use of the Natural Area for purposes of education, scientific study, and limited public recreation in a manner that does not substantially impair the purposes for which the Natural Area is established;

(C) the protection of the wildlife habitat of the Natural Area;

(D) a prohibition on the construction of water storage facilities in the Natural Area; and

(E) the reduction in the use of or removal of roads in the Natural Area and, to the

maximum extent practicable, the reduction in or prohibition against the use of motorized vehicles in the Natural Area (including the removal of roads and a prohibition against motorized use on Federal land in the area on the western side of the Rio Grande River from Lobatos Bridge south to the New Mexico State line).

(b) Changes in streamflow

The Secretary is encouraged to negotiate with the State of Colorado, the Rio Grande Water Conservation District, and affected water users in the State to determine if changes in the streamflow that are beneficial to the Natural Area may be accommodated.

(c) Private land

The management plan prepared under section 460rrr-4(b)(2)(A) of this title shall apply to private land in the Natural Area only to the extent that the private landowner agrees in writing to be bound by the management plan.

(d) Withdrawal

Subject to valid existing rights, all Federal land in the Natural Area is withdrawn from—

- (1) all forms of entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) disposition under the mineral leasing laws (including geothermal leasing laws).

(e) Acquisition of land

(1) In general

The Secretary may acquire from willing sellers by purchase, exchange, or donation land or an interest in land in the Natural Area.

(2) Administration

Any land or interest in land acquired under paragraph (1) shall be administered in accordance with the management plan and this subchapter.

(f) Applicable law

Section 1276(d)(1) of this title shall not apply to the Natural Area.

(Pub. L. 109-337, § 7, Oct. 12, 2006, 120 Stat. 1780.)

§ 460rrr-6. Effect

Nothing in this subchapter—

- (1) amends, modifies, or is in conflict with the Rio Grande Compact, consented to by Congress in the Act of May 31, 1939 (53 Stat. 785, ch. 155);
- (2) authorizes the regulation of private land in the Natural Area;
- (3) authorizes the imposition of any mandatory streamflow requirements;
- (4) creates an express or implied Federal reserved water right;
- (5) imposes any Federal water quality standard within or upstream of the Natural Area that is more restrictive than would be applicable had the Natural Area not been established; or
- (6) prevents the State of Colorado from acquiring an instream flow through the Natural Area under the terms, conditions, and limitations of State law to assist in protecting the

natural environment to the extent and for the purposes authorized by State law.

(Pub. L. 109-337, § 8, Oct. 12, 2006, 120 Stat. 1781.)

REFERENCES IN TEXT

Act of May 31, 1939, referred to in par. (1), is act May 31, 1939, ch. 155, 53 Stat. 785, which is not classified to the Code.

§ 460rrr-7. Authorization of appropriations

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

(Pub. L. 109-337, § 9, Oct. 12, 2006, 120 Stat. 1782.)

§ 460rrr-8. Termination of Commission

The Commission shall terminate on the date that is 10 years after October 12, 2006.

(Pub. L. 109-337, § 10, Oct. 12, 2006, 120 Stat. 1782.)

SUBCHAPTER CXXX—COW MOUNTAIN RECREATION AREA

§ 460sss. Cow Mountain Recreation Area, Lake and Mendocino Counties, California

(a) Establishment

In order to enhance the recreational and scenic values of the Cow Mountain area in Lake and Mendocino Counties, California, while conserving the wildlife and other natural resource values of the area, there is hereby established the Cow Mountain Recreation Area (in this section referred to as the “recreation area”) consisting of approximately 51,513 acres of land in such counties, as generally depicted on the map entitled “Cow Mountain Recreation Area” and dated July 22, 2006, including the following:

- (1) The “South Cow Mountain OHV Management Area”, as generally depicted on the map.
- (2) The “North Cow Mountain Recreation Area”, as generally depicted on the map.

(b) Legal descriptions; correction of errors

(1) Preparation and submission

As soon as practicable after October 17, 2006, the Secretary of the Interior shall prepare a map and legal descriptions of the boundaries of the recreation area. The Secretary shall submit the map and legal descriptions to the Committee on Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate.

(2) Legal effect

The map and legal descriptions of the recreation area shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal descriptions. The map shall be on file and available for public inspection in appropriate offices of the Bureau of Land Management.

(c) Administration

(1) In general

The Secretary of the Interior shall administer the recreation area in accordance with this section and the laws and regulations generally applicable to the public lands, including