

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

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

**(b) Prior rights**

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

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

**(c) Road easements**

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

**(d) Rights of access**

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

**(e) Entitlement moneys**

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

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

## REFERENCES IN TEXT

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

**§ 460bbb-11. Authorization of appropriations**

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

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

## REFERENCES IN TEXT

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

## SUBCHAPTER CXIV—RED ROCK CANYON NATIONAL CONSERVATION AREA

**§ 460ccc. Definitions**

For the purposes of this subchapter, the term—

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

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

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

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

## SHORT TITLE

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

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

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

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

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

**(b) Legal description**

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

correct clerical and typographic errors in<sup>1</sup> legal description.

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

### (c) Discrepancies

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

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

#### REFERENCES IN TEXT

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

#### AMENDMENTS

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

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

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

#### CHANGE OF NAME

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

#### POTENTIAL CONSERVATION LANDS

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

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

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

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

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

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

### § 460ccc-2. Management

#### (a) In general

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

#### (b) Hunting

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

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

#### (c) Preventive measures

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

#### (d) Mechanized vehicles

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

#### (e) Limits on visitation and use

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

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

#### REFERENCES IN TEXT

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

<sup>1</sup> So in original. Probably should be “in the”.