

(10) The term “hydroelectric facilities” means all facilities related to the generation, transmission, and distribution of hydroelectric power and which are subject to, and authorized by, a license(s), and any and all amendments thereto, issued by the Federal Energy Regulatory Commission.

(Pub. L. 103-64, §2, Aug. 4, 1993, 107 Stat. 304; Pub. L. 111-11, title II, §2301(a)(1), Mar. 30, 2009, 123 Stat. 1101.)

AMENDMENTS

2009—Par. (2). Pub. L. 111-11 inserted “Morley Nelson” before “Snake River Birds of Prey National Conservation Area”.

§ 460iii-2. Establishment

(a) In general

(1) There is hereby established the Morley Nelson Snake River Birds of Prey National Conservation Area.

(2) The purposes for which the conservation area is established, and shall be managed, are to provide for the conservation, protection, and enhancement of raptor populations and habitats and the natural and environmental resources and values associated therewith, and of the scientific, cultural, and educational resources and values of the public lands in the conservation area.

(3) Subject to the provisions of subsection (d) of this section and section 460iii-3 of this title, uses of the public lands in the conservation area existing on August 4, 1993, shall be allowed to continue.

(b) Area included

The conservation area shall consist of approximately 482,457 acres of federally owned lands and interests therein managed by the Bureau of Land Management as generally depicted on the map entitled “Snake River Birds of Prey National Conservation Area”, dated November 1991.

(c) Map and legal description

As soon as is practicable after August 4, 1993, the map referred to in subsection (b) of this section and a legal description of the conservation area shall be filed by the Secretary with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Each such map 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. Each such map shall be on file and available for public inspection in the office of the Director and the Idaho State Director of the Bureau of Land Management of the Department of the Interior.

(d) Withdrawals

Subject to valid existing rights, the Federal lands within the conservation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; and from entry, application, and selection under the Act of March 3, 1877 (Ch. 107, 19 Stat. 377, 43 U.S.C. 321 et seq.; commonly referred to as the “Desert Lands Act”), section 641 of title 43, the

Act of July 3, 1890 (Ch. 656, 26 Stat. 215; commonly referred to as the “State of Idaho Admissions Act”), section 851 of title 43, and section 852 of title 43. The Secretary shall return to the applicants any such applications pending on August 4, 1993, without further action. Subject to valid existing rights, as of August 4, 1993, lands within the Birds of Prey Conservation Area are withdrawn from location under the general mining laws, the operation of the mineral and geothermal leasing laws, and the mineral material disposal laws, except that mineral materials subject to disposal may be made available from existing sites to the extent compatible with the purposes for which the conservation area is established.

(Pub. L. 103-64, §3, Aug. 4, 1993, 107 Stat. 304; Pub. L. 111-11, title II, §2301(a)(2), (c)(1), Mar. 30, 2009, 123 Stat. 1101.)

REFERENCES IN TEXT

Act of March 3, 1877, referred to in subsec. (d), is act Mar. 3, 1877, ch. 107, 19 Stat. 377, as amended, which is classified generally to sections 321 to 323, 325, and 327 to 329 of Title 43. For complete classification of this Act to the Code, see Tables.

Act of July 3, 1890, referred to in subsec. (d), is not classified to the Code.

AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111-11 inserted “Morley Nelson” before “Snake River Birds of Prey National Conservation Area” and struck out “(hereafter referred to as the ‘conservation area’)” before period at end.

§ 460iii-3. Management and use

(a) In general

(1)(A) Within 1 year after August 4, 1993, the Secretary shall make any revisions in the existing management plan for the conservation area as necessary to assure its conformance with this subchapter, and no later than January 1, 1996, shall finalize a new management plan for the conservation area.

(B) Thereafter, the Secretary shall review the plan at least once every 5 years and shall make such revisions as may be necessary or appropriate.

(C) In reviewing and revising the plan, the Secretary shall provide for appropriate public participation.

(2) Except as otherwise specifically provided in section 460iii-2(d) of this title and subsections (d), (e), and (f) of this section, the Secretary shall allow only such uses of lands in the conservation area as the Secretary determines will further the purposes for which the conservation area is established.

(b) Management guidance

After each review pursuant to subsection (a) of this section, the Secretary shall make such revisions as may be needed so that the plan and management program to implement the plan include, in addition to any other necessary or appropriate provisions, provisions for—

(1) protection for the raptor populations and habitats and the scientific, cultural, and educational resources and values of the public lands in the conservation area;

(2) identifying levels of continued military use of the Orchard Training Area compatible with paragraph (1) of this subsection;