

(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.