

**(c) Other participants**

With the consent of the landowners involved, the Secretary may permit permittees, special-use permit holders, other Federal and State agencies, and interested members of the public to participate in a cooperative management agreement as appropriate to achieve the resource or land use management objectives of the agreement.

**(d) Tribal cultural site protection**

The Secretary may enter into agreements with the Burns Paiute Tribe to protect cultural sites in the Cooperative Management and Protection Area of importance to the tribe.

(Pub. L. 106-399, title I, §121, Oct. 30, 2000, 114 Stat. 1663.)

**§ 460nnn-42. Cooperative efforts to control development and encourage conservation****(a) Policy**

Development on public and private lands within the boundaries of the Cooperative Management and Protection Area which is different from the current character and uses of the lands is inconsistent with the purposes of this subchapter.

**(b) Use of nondevelopment and conservation easements**

The Secretary may enter into a nondevelopment easement or conservation easement with willing landowners to further the purposes of this subchapter.

**(c) Conservation incentive payments**

The Secretary may provide technical assistance, cost-share payments, incentive payments, and education to a private landowner in the Cooperative Management and Protection Area who enters into a contract with the Secretary to protect or enhance ecological resources on the private land covered by the contract if those protections or enhancements benefit public lands.

**(d) Relation to property rights and State and local law**

Nothing in this subchapter is intended to affect rights or interests in real property or supersede State law.

(Pub. L. 106-399, title I, §122, Oct. 30, 2000, 114 Stat. 1664.)

## SUBPART 4—ADVISORY COUNCIL

**§ 460nnn-51. Establishment of advisory council****(a) Establishment**

The Secretary shall establish the Steens Mountain Advisory Council to advise the Secretary in managing the Cooperative Management and Protection Area and in promoting the cooperative management under subpart 3 of this part.

**(b) Members**

The advisory council shall consist of 12 voting members, to be appointed by the Secretary, as follows:

(1) A private landowner in the Cooperative Management and Protection Area, appointed

from nominees submitted by the county court for Harney County, Oregon.

(2) Two persons who are grazing permittees on Federal lands in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(3) A person interested in fish and recreational fishing in the Cooperative Management and Protection Area, appointed from nominees submitted by the Governor of Oregon.

(4) A member of the Burns Paiute Tribe, appointed from nominees submitted by the Burns Paiute Tribe.

(5) Two persons who are recognized environmental representatives, one of whom shall represent the State as a whole, and one of whom is from the local area, appointed from nominees submitted by the Governor of Oregon.

(6) A person who participates in what is commonly called dispersed recreation, such as hiking, camping, nature viewing, nature photography, bird watching, horse back riding, or trail walking, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(7) A person who is a recreational permit holder or is a representative of a commercial recreation operation in the Cooperative Management and Protection Area, appointed from nominees submitted jointly by the Oregon State Director of the Bureau of Land Management and the county court for Harney County, Oregon.

(8) A person who participates in what is commonly called mechanized or consumptive recreation, such as hunting, fishing, off-road driving, hang gliding, or parasailing, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(9) A person with expertise and interest in wild horse management on Steens Mountain, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(10) A person who has no financial interest in the Cooperative Management and Protection Area to represent statewide interests, appointed from nominees submitted by the Governor of Oregon.

**(c) Consultation**

In reviewing nominees submitted under subsection (b) of this section for possible appointment to the advisory council, the Secretary shall consult with the respective community of interest that the nominees are to represent to ensure that the nominees have the support of their community of interest.

**(d)<sup>1</sup> Terms****(1) Staggered terms**

Members of the advisory council shall be appointed for terms of 3 years, except that, of the members first appointed, four members shall be appointed for a term of 1 year and four members shall be appointed for a term of 2 years.

<sup>1</sup> So in original. Two subsecs. (d) have been enacted.

**(2) Reappointment**

A member may be reappointed to serve on the advisory council.

**(3) Vacancy**

A vacancy on the advisory council shall be filled in the same manner as the original appointment.

**(d)<sup>1</sup> Chairperson and procedures**

The advisory council shall elect a chairperson and establish such rules and procedures as it deems necessary or desirable.

**(e) Service without compensation**

Members of the advisory council shall serve without pay, but the Secretary shall reimburse members for reasonable expenses incurred in carrying out official duties as a member of the council.

**(f) Administrative support**

The Secretary shall provide the advisory council with necessary administrative support and shall designate an appropriate officer of the Bureau of Land Management to serve as the Secretary's liaison to the council.

**(g) State liaison**

The Secretary shall appoint one person, nominated by the Governor of Oregon, to serve as the State government liaison to the advisory council.

**(h) Applicable law**

The advisory committee<sup>2</sup> shall be subject to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the Federal Advisory Committee Act (5 U.S.C. App.).

(Pub. L. 106-399, title I, §131, Oct. 30, 2000, 114 Stat. 1664.)

## REFERENCES IN TEXT

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

The Federal Advisory Committee Act, referred to in subsec. (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

**§ 460nnn-52. Advisory role in management activities****(a) Management recommendations**

The advisory committee<sup>1</sup> shall utilize sound science, existing plans for the management of Federal lands included in the Cooperative Management and Protection Area, and other tools to formulate recommendations for the Secretary regarding—

(1) new and unique approaches to the management of lands within the boundaries of the Cooperative Management and Protection Area; and

(2) cooperative programs and incentives for seamless landscape management that meets

human needs and maintains and improves the ecological and economic integrity of the Cooperative Management and Protection Area.

**(b) Preparation of management plan**

The Secretary shall consult with the advisory committee<sup>1</sup> as part of the preparation and implementation of the management plan.

**(c) Submission of recommendations**

No recommendations may be presented to the Secretary by the advisory council without the agreement of at least nine members of the advisory council.

(Pub. L. 106-399, title I, §132, Oct. 30, 2000, 114 Stat. 1665.)

**§ 460nnn-53. Science committee**

The Secretary shall appoint, as needed or at the request of the advisory council, a team of respected, knowledgeable, and diverse scientists to provide advice on questions relating to the management of the Cooperative Management and Protection Area to the Secretary and the advisory council. The Secretary shall seek the advice of the advisory council in making these appointments.

(Pub. L. 106-399, title I, §133, Oct. 30, 2000, 114 Stat. 1666.)

## PART B—STEENS MOUNTAIN WILDERNESS AREA

**§ 460nnn-61. Designation of Steens Mountain Wilderness Area**

The Federal lands in the Cooperative Management and Protection Area depicted as wilderness on the map entitled “Steens Mountain Wilderness Area” and dated September 18, 2000, are hereby designated as wilderness and therefore as a component of the National Wilderness Preservation System. The wilderness area shall be known as the Steens Mountain Wilderness Area.

(Pub. L. 106-399, title II, §201, Oct. 30, 2000, 114 Stat. 1666.)

## CODIFICATION

Section is comprised of section 201 of Pub. L. 106-399. Section 201 also enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

**§ 460nnn-62. Administration of Wilderness Area****(a) General rule**

The Secretary shall administer the Wilderness Area in accordance with this part and the Wilderness Act (16 U.S.C. 1131 et seq.). Any reference in the Wilderness Act to the effective date of that Act (or any similar reference) shall be deemed to be a reference to October 30, 2000.

**(b) Wilderness boundaries along roads**

Where a wilderness boundary exists along a road, the wilderness boundary shall be set back from the centerline of the road, consistent with the Bureau of Land Management's guidelines as established in its Wilderness Management Policy.

**(c) Access to non-Federal lands**

The Secretary shall provide reasonable access to private lands within the boundaries of the

<sup>2</sup> So in original. Probably should be “advisory council”.

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