

(Pub. L. 106-76, §5, Oct. 21, 1999, 113 Stat. 1128; Pub. L. 108-128, §2(c), Nov. 17, 2003, 117 Stat. 1355.)

AMENDMENTS

2003—Subsec. (a)(1). Pub. L. 108-128 substituted “Map or the map described in section 410fff-2(a)(2) of this title” for “Map”.

§ 410fff-4. Expansion of the Black Canyon of the Gunnison Wilderness

(a) Expansion of Black Canyon of the Gunnison Wilderness

The Black Canyon of the Gunnison Wilderness, as established by subsection (b) of the first section of Public Law 94-567 (90 Stat. 2692), is expanded to include the parcel of land depicted on the Map as “Tract A” and consisting of approximately 4,419 acres.

(b) Administration

The Black Canyon of the Gunnison Wilderness shall be administered as a component of the Park.

(Pub. L. 106-76, §6, Oct. 21, 1999, 113 Stat. 1129.)

REFERENCES IN TEXT

Subsection (b) of the first section of Public Law 94-567, referred to in subsec. (a), is Pub. L. 94-567, §1(b), Oct. 20, 1976, 90 Stat. 2692, which enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

§ 410fff-5. Establishment of the Gunnison Gorge National Conservation Area

(a) In general

(1) There is established the Gunnison Gorge National Conservation Area, consisting of approximately 57,725 acres as generally depicted on the Map.

(2) The boundary of the Conservation Area is revised to include the addition of approximately 7,100 acres, as generally depicted on the map entitled “Black Canyon of the Gunnison National Park and Gunnison Gorge NCA Boundary Modifications”, and dated April 2, 2003.

(b) Management of Conservation Area

The Secretary, acting through the Director of the Bureau of Land Management, shall manage the Conservation Area to protect the resources of the Conservation Area in accordance with—

- (1) this subchapter;
- (2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
- (3) other applicable provisions of law.

(c) Withdrawal

Subject to valid existing rights, all Federal lands within the Conservation Area are hereby withdrawn from all forms of entry, appropriation or disposal under the public land laws; from location, entry, and patent under the mining laws; and from disposition under all laws relating to mineral and geothermal leasing, and all amendments thereto.

(d) Hunting, trapping, and fishing

(1) In general

The Secretary shall permit hunting, trapping, and fishing within the Conservation Area

in accordance with applicable laws (including regulations) of the United States and the State of Colorado.

(2) Exception

The Secretary, after consultation with the Colorado Division of Wildlife, may issue regulations designating zones where and establishing periods when no hunting or trapping shall be permitted for reasons concerning—

- (A) public safety;
- (B) administration; or
- (C) public use and enjoyment.

(e) Use of motorized vehicles

In addition to the use of motorized vehicles on established roadways, the use of motorized vehicles in the Conservation Area shall be allowed to the extent the use is compatible with off-highway vehicle designations as described in the management plan in effect on October 21, 1999.

(f) Conservation Area management plan

(1) In general

Not later than 4 years after October 21, 1999, the Secretary shall—

- (A) develop a comprehensive plan for the long-range protection and management of the Conservation Area; and
- (B) transmit the plan to—
 - (i) the Committee on Energy and Natural Resources of the Senate; and
 - (ii) the Committee on Resources of the House of Representatives.

(2) Contents of plan

The plan—

- (A) shall describe the appropriate uses and management of the Conservation Area in accordance with this subchapter;
- (B) may incorporate appropriate decisions contained in any management or activity plan for the area completed prior to October 21, 1999;
- (C) may incorporate appropriate wildlife habitat management plans or other plans prepared for the land within or adjacent to the Conservation Area prior to October 21, 1999;
- (D) shall be prepared in close consultation with appropriate Federal, State, county, and local agencies; and
- (E) may use information developed prior to October 21, 1999, in studies of the land within or adjacent to the Conservation Area.

(g) Boundary revisions

The Secretary may make revisions to the boundary of the Conservation Area following acquisition of land necessary to accomplish the purposes for which the Conservation Area was designated.

(Pub. L. 106-76, §7, Oct. 21, 1999, 113 Stat. 1129; Pub. L. 108-128, §3, Nov. 17, 2003, 117 Stat. 1356.)

REFERENCES IN TEXT

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

AMENDMENTS

2003—Subsec. (a). Pub. L. 108-128 designated existing provisions as par. (1) and added par. (2).

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 410fff-6. Designation of wilderness within the Conservation Area

(a) Gunnison Gorge Wilderness

(1) In general

Within the Conservation Area, there is designated as wilderness, and as a component of the National Wilderness Preservation System, the Gunnison Gorge Wilderness, consisting of approximately 17,700 acres, as generally depicted on the Map.

(2) Administration

(A) Wilderness study area exemption

The approximately 300-acre portion of the wilderness study area depicted on the Map for release from section 1782 of title 43 shall not be subject to section 1782(c) of title 43.

(B) Incorporation into national Conservation Area

The portion of the wilderness study area described in subparagraph (A) shall be incorporated into the Conservation Area.

(b) Administration

Subject to valid rights in existence on October 21, 1999, the wilderness areas designated under this subchapter shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this subchapter and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

(c) State responsibility

As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this subchapter or in the Wilderness Act shall affect the jurisdiction or responsibilities of the State of Colorado with respect to wildlife and fish on the public land located in that State.

(d) Maps and legal descriptions

As soon as practicable after October 21, 1999, the Secretary of the Interior shall file a map and a legal description of the Gunnison Gorge Wilderness with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. This map and description shall have the same force and effect as if included in this subchapter. The Secretary of the Interior may correct clerical and typographical errors in the map and legal description. The map and legal description shall be on file and available in the office of the Director of the Bureau of Land Management (BLM).

(Pub. L. 106-76, §8, Oct. 21, 1999, 113 Stat. 1130.)

REFERENCES IN TEXT

The Wilderness Act, referred to in subsecs. (b) and (c), 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.

The effective date of the Wilderness Act, referred to in subsec. (b), means Sept. 3, 1964, the date of enactment of Pub. L. 88-577, which enacted chapter 23 of this title.

The effective date of this subchapter, referred to in subsec. (b), means Oct. 21, 1999, the date of enactment of Pub. L. 106-76, which enacted this subchapter.

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 410fff-7. Withdrawal

Subject to valid existing rights, the Federal lands identified on the Map as “BLM Withdrawal (Tract B)” (comprising approximately 1,154 acres) are hereby withdrawn from all forms of entry, appropriation or disposal under the public land laws; from location, entry, and patent under the mining laws; and from disposition under all laws relating to mineral and geothermal leasing, and all amendments thereto.

(Pub. L. 106-76, §9, Oct. 21, 1999, 113 Stat. 1131.)

§ 410fff-8. Water rights

(a) Effect on water rights

Nothing in this subchapter shall—

(1) constitute an express or implied reservation of water for any purpose; or

(2) affect any water rights in existence prior to October 21, 1999, including any water rights held by the United States.

(b) Additional water rights

Any new water right that the Secretary determines is necessary for the purposes of this subchapter shall be established in accordance with the procedural and substantive requirements of the laws of the State of Colorado.

(Pub. L. 106-76, §10, Oct. 21, 1999, 113 Stat. 1131.)

§ 410fff-9. Study of lands within and adjacent to Curecanti National Recreation Area

(a) In general

Not later than 3 years after October 21, 1999, the Secretary, acting through the Director of the National Park Service, shall conduct a study concerning land protection and open space within and adjacent to the area administered as the Curecanti National Recreation Area.

(b) Purpose of study

The study required to be completed under subsection (a) of this section shall—

(1) assess the natural, cultural, recreational and scenic resource value and character of the land within and surrounding the Curecanti National Recreation Area (including open vistas, wildlife habitat, and other public benefits);

(2) identify practicable alternatives that protect the resource value and character of the land within and surrounding the Curecanti National Recreation Area;