

§ 410aaa-4. Withdrawal

Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from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

(Pub. L. 103-433, title III, §305, Oct. 31, 1994, 108 Stat. 4486.)

§ 410aaa-5. Grazing**(a) In general**

The privilege of grazing domestic livestock on lands within the park shall continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations.

(b) Sale of property

If a person holding a grazing permit referred to in subsection (a) of this section informs the Secretary that such permittee is willing to convey to the United States any base property with respect to which such permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the park, provided agreement can be reached concerning the terms and conditions of such acquisition. Any such base property which is located outside the park and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

(Pub. L. 103-433, title III, §306, Oct. 31, 1994, 108 Stat. 4486.)

§ 410aaa-6. Death Valley National Park Advisory Commission**(a) Establishment**

The Secretary shall establish an Advisory Commission of no more than fifteen members, to advise the Secretary concerning the development and implementation of a new or revised comprehensive management plan for Death Valley National Park.

(b) Membership

(1) The advisory commission shall include an elected official for each County within which any part of the park is located, a representative of the owners of private properties located within or immediately adjacent to the park, and other members representing persons actively engaged in grazing and range management, mineral exploration and development, and persons with expertise in relevant fields, including geology, biology, ecology, law enforcement, and the protection and management of National Park resources and values.

(2) Vacancies in the advisory commission shall be filled by the Secretary so as to maintain the full diversity of views required to be represented on the advisory commission.

(c) Applicability of Federal Advisory Committee Act

The Federal Advisory Committee Act shall apply to the procedures and activities of the advisory commission.

(d) Termination

The advisory commission shall cease to exist ten years after the date of its establishment.

(Pub. L. 103-433, title III, §307, Oct. 31, 1994, 108 Stat. 4487.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (c), 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.

§ 410aaa-7. Boundary adjustment

In preparing the maps and legal descriptions required by section 410aaa-3 of this title and section 602 of this Act, the Secretary shall adjust the boundaries of the Death Valley National Park and Death Valley National Park Wilderness so as to exclude from such National Park and Wilderness the lands generally depicted on the map entitled "Porter Mine (Panamint Range) Exclusion Area" dated June 1994.

(Pub. L. 103-433, title III, §308, Oct. 31, 1994, 108 Stat. 4487.)

REFERENCES IN TEXT

Section 602 of this Act, referred to in text, is section 602 of Pub. L. 103-433, title VI, Oct. 31, 1994, 108 Stat. 4496, which is not classified to the Code.

PART B—JOSHUA TREE NATIONAL PARK

§ 410aaa-21. Findings

The Congress finds that—

(1) a proclamation by President Franklin Roosevelt in 1936 established Joshua Tree National Monument to protect various objects of historical and scientific interest;

(2) Joshua Tree National Monument today is recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the monument boundaries as modified in 1950 and 1961 exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, archeological, paleontological, cultural, historical, and wilderness values;

(4) Joshua Tree National Monument should be enlarged by the addition of contiguous Federal lands of national park caliber, and afforded full recognition and statutory protection as a National Park; and

(5) the nondesignated wilderness within Joshua Tree should receive statutory protection by designation pursuant to the Wilderness Act [16 U.S.C. 1131 et seq.].

(Pub. L. 103-433, title IV, §401, Oct. 31, 1994, 108 Stat. 4487.)

REFERENCES IN TEXT

The Wilderness Act, referred to in par. (5), 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.

§ 410aaa-22. Establishment

There is hereby established the Joshua Tree National Park, (hereinafter in this section referred to as the “park”), as generally depicted on a map entitled “Joshua Tree National Park Boundary—Proposed”, dated May 1991, and four maps entitled “Joshua Tree National Park Boundary and Wilderness”, numbered in the title one through four, and dated October 1991 or prior, which shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior. The Joshua Tree National Monument is hereby abolished as such, the lands and interests therein are hereby incorporated within and made part of the new Joshua Tree National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

(Pub. L. 103-433, title IV, §402, Oct. 31, 1994, 108 Stat. 4488.)

§ 410aaa-23. Transfer and administration of lands

On October 31, 1994, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 410aaa-22 of this title, without consideration, to the administrative jurisdiction of the National Park Service for administration as part of the National Park System. The boundaries of the park shall be adjusted accordingly. The Secretary shall administer the areas added to the park by this part in accordance with the provisions of law generally applicable to units of the National Park System, including sections 1, 2, 3, and 4 of this title.

(Pub. L. 103-433, title IV, §403, Oct. 31, 1994, 108 Stat. 4488.)

§ 410aaa-24. Maps and legal description

Within six months after October 31, 1994, the Secretary shall file maps and legal¹ description of the park with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives. Such maps and legal description shall have the same force and effect as if included in this part, except that the Secretary may correct clerical and typographical errors in such legal description and maps. The maps and legal description shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(Pub. L. 103-433, title IV, §404, Oct. 31, 1994, 108 Stat. 4488.)

§ 410aaa-25. Withdrawal

Subject to valid existing rights, all Federal lands within the park are hereby withdrawn

from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

(Pub. L. 103-433, title IV, §405, Oct. 31, 1994, 108 Stat. 4488.)

§ 410aaa-26. Utility rights-of-way

Nothing in this part shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities in such right-of-way, issued, granted, or permitted to the Metropolitan Water District pursuant to the Boulder Canyon Project Act (43 U.S.C. 617-619b), which is located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 601(a)(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. Nothing in this part shall have the effect of terminating the fee title to lands or customary operation, maintenance, repair, and replacement activities on or under such lands granted to the Metropolitan Water District pursuant to the Act of June 18, 1932 (47 Stat. 324), which are located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 601(a)(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. The Secretary shall prepare within one hundred and eighty days after October 31, 1994, in consultation with the Metropolitan Water District, plans for emergency access by the Metropolitan Water District to its lands and rights-of-way.

(Pub. L. 103-433, title IV, §406, Oct. 31, 1994, 108 Stat. 4488.)

REFERENCES IN TEXT

The Boulder Canyon Project Act, referred to in text, is act Dec. 21, 1928, ch. 42, 45 Stat. 1057, as amended, which is classified generally to subchapter I (§617 et seq.) of chapter 12A of Title 43, Public Lands. For complete classification of this Act to the Code, see section 617t of Title 43 and Tables.

Section 601(a)(2), referred to in text, is section 601(a)(2) of Pub. L. 103-433, which enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

Act of June 18, 1932 (47 Stat. 324), referred to in text, is not classified to the Code.

§ 410aaa-27. Joshua Tree National Park Advisory Commission

(a) Establishment

The Secretary shall establish an Advisory Commission of no more than fifteen members, to advise the Secretary concerning the development and implementation of a new or revised comprehensive management plan for Joshua Tree National Park.

(b) Membership

(1) The advisory commission shall include an elected official for each County within which any part of the park is located, a representative of the owners of private properties located with-

¹ So in original. Probably should be “a legal”.