

## REFERENCES IN TEXT

Section 1206(a)(2), referred to in par. (1)(A), is section 1206(a)(2) of Pub. L. 111-11, title I, Mar. 30, 2009, 123 Stat. 1018, which is not classified to the Code.

Section 1202, referred to in par. (1)(B), is section 1202 of Pub. L. 111-11, which enacted provisions listed in a table of National Memorials set out under section 431 of this title and enacted and amended provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

This subtitle, referred to in par. (3)(B), is subtitle C (§§1201-1207) of title I of Pub. L. 111-11, Mar. 30, 2009, 123 Stat. 1007, which enacted this section and subchapter CXXXII of chapter 1 of this title, amended sections 544k and 1274 of this title, enacted provisions set out as notes under sections 460uuu and 1274 of this title, enacted provisions listed in a table of National Memorials set out under section 431 of this title, and enacted and amended provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of subtitle C to the Code, see Tables.

## DEFINITIONS

For definitions of terms used in this section, see section 1201 of Pub. L. 111-11, set out as a note under section 460uuu of this title.

**§ 539o. Ancient Bristlecone Pine Forest****(a) Designation**

To conserve and protect the Ancient Bristlecone Pines by maintaining near-natural conditions and to ensure the survival of the Pines for the purposes of public enjoyment and scientific study, the approximately 31,700 acres of public land in the State, as generally depicted on the map entitled “Ancient Bristlecone Pine Forest—Proposed” and dated July 16, 2008, is designated as the “Ancient Bristlecone Pine Forest”.

**(b) Map and legal description****(1) In general**

As soon as practicable, but not later than 3 years after March 30, 2009, the Secretary shall file a map and legal description of the Forest with—

- (A) the Committee on Natural Resources of the House of Representatives; and
- (B) the Committee on Energy and Natural Resources of the Senate.

**(2) Force of law**

The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any errors in the map and legal description.

**(3) Public availability**

The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

**(c) Management****(1) In general**

The Secretary shall administer the Forest—

- (A) in a manner that—

- (i) protect<sup>1</sup> the resources and values of the area in accordance with the purposes

for which the Forest is established, as described in subsection (a); and

(ii) promotes the objectives of the applicable management plan (as in effect on March 30, 2009), including objectives relating to—

(I) the protection of bristlecone pines for public enjoyment and scientific study;

(II) the recognition of the botanical, scenic, and historical values of the area; and

(III) the maintenance of near-natural conditions by ensuring that all activities are subordinate to the needs of protecting and preserving bristlecone pines and wood remnants; and

(B) in accordance with the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.), this section, and any other applicable laws.

**(2) Uses****(A) In general**

The Secretary shall allow only such uses of the Forest as the Secretary determines would further the purposes for which the Forest is established, as described in subsection (a).

**(B) Scientific research**

Scientific research shall be allowed in the Forest in accordance with the Inyo National Forest Land and Resource Management Plan (as in effect on March 30, 2009).

**(3) Withdrawal**

Subject to valid existing rights, all Federal land within the Forest is withdrawn from—

- (A) all forms of entry, appropriation or disposal under the public land laws;
- (B) location, entry, and patent under the mining laws; and
- (C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(Pub. L. 111-11, title I, §1808, Mar. 30, 2009, 123 Stat. 1060.)

## REFERENCES IN TEXT

This subtitle, referred to in subsec. (b)(2), is subtitle K (§§1801-1808) of title I of Pub. L. 111-11, Mar. 30, 2009, 123 Stat. 1052, which enacted this section and subchapter CXXXIII of chapter 1 of this title, amended section 1274 of this title, enacted provisions set out as notes under sections 460vvv and 1274 of this title, and enacted and amended provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of subtitle K to the Code, see Tables.

The National Forest Management Act of 1976, referred to in subsec. (c)(1)(B), is Pub. L. 94-588, Oct. 22, 1976, 90 Stat. 2949, which enacted sections 472a, 521b, 1600, and 1611 to 1614 of this title, amended sections 500, 515, 516, 518, 576b, and 1601 to 1610 of this title, repealed sections 476, 513, and 514 of this title, and enacted provisions set out as notes under sections 476, 513, 528, 594-2, and 1600 of this title. For complete classification of this Act to the Code, see Short Title of 1976 Amendment note set out under section 1600 of this title and Tables.

## DEFINITIONS

For definitions of terms used in this section, see section 1801 of Pub. L. 111-11, set out as a note under section 460vvv of this title.

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

## SUBCHAPTER II—SCENIC AREAS

**§ 541. Cascade Head Scenic-Research Area; establishment**

In order to provide present and future generations with the use and enjoyment of certain ocean headlands, rivers, streams, estuaries, and forested areas, to insure the protection and encourage the study of significant areas for research and scientific purposes, and to promote a more sensitive relationship between man and his adjacent environment, there is hereby established, subject to valid existing rights, the Cascade Head Scenic-Research Area (hereinafter referred to as "the Area") in the Siuslaw National Forest in the State of Oregon.

(Pub. L. 93-535, §1, Dec. 22, 1974, 88 Stat. 1732.)

**§ 541a. Administration, protection, development, and regulation of use**

The administration, protection, development, and regulation of use of the Area shall be by the Secretary of Agriculture (hereinafter referred to as the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best contribute to attainment of the purpose of this subchapter.

(Pub. L. 93-535, §2, Dec. 22, 1974, 88 Stat. 1732.)

**§ 541b. Boundaries of scenic-research area; adjustments to subarea boundaries; development of management plan; establishment of subareas; management objectives****(a) Boundaries; adjustments to boundaries of subareas**

The boundaries of the Area, and the boundaries of the subareas included therein, shall be those shown on the map entitled "Proposed Cascade Head Scenic-Research Area", dated June 1974, which is on file and available for public inspection in the office of the Chief, Forest Service, United States Department of Agriculture: *Provided*, That, from time to time, the Secretary may, after public hearing or other appropriate means for public participation, make adjustments in the boundaries of subareas to reflect changing natural conditions or to provide for more effective management of the Area and each of the subareas in accordance with the purposes and provisions of this subchapter.

**(b) Management plan; development; time; contents**

As soon as practicable after December 22, 1974, the Secretary shall, with provisions for appropriate public participation in the planning process, develop a comprehensive management plan for the Area. Said plan shall prescribe specific management objectives and management controls necessary for the protection, management, and development of the Area and each of the subareas established pursuant to subsection (c) of this section.

**(c) Subareas; establishment; management objectives**

Within the Area, the following subareas shall be established and shall be managed in accord

with the following primary management objectives which shall be supplemental to the general management objectives applicable to the entire Area:

(1) Estuary and Associated Wetlands Subarea: An area managed to protect and perpetuate the fish and wildlife, scenic, and research-education values, while allowing dispersed recreation use, such as sport fishing, nonmotorized pleasure boating, waterfowl hunting, and other uses which the Secretary determines are compatible with the protection and perpetuation of the unique natural values of the subarea. After appropriate study, breaching of existing dikes may be permitted within the subarea.

(2) Lower Slope-Dispersed Residential Subarea: An area managed to maintain the scenic, soil and watershed, and fish and wildlife values, while allowing dispersed residential occupancy, selective recreation use, and agricultural use.

(3) Upper Timbered Slope and Headlands Subareas: Areas managed to protect the scenic, soil and watershed, and fish and wildlife values while allowing selective recreation and extensive research-educational activities. Timber harvesting activity may occur in these subareas only when the Secretary determines that such harvesting is to be conducted in connection with research activities or that the preservation of the timber resource is imminently threatened by fire, old age, infestation, or similar natural occurrences.

(4) Coastline and Sand Dune-Spit Subareas: Areas managed to protect and maintain the scenic and wildlife values while allowing selective recreation and extensive research-educational activities.

(Pub. L. 93-535, §3, Dec. 22, 1974, 88 Stat. 1732.)

**§ 541c. Extension of boundaries of Siuslaw National Forest; transfer of Federal property to Secretary**

(a) The boundaries of the Siuslaw National Forest are hereby extended to include all of the lands lying within the Area as described in accordance with section 541b of this title which are not within the national forest boundaries on December 22, 1974.

(b) Notwithstanding any other provision of law, any Federal property located on the lands added to the Siuslaw National Forest by this section may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary. Any lands so transferred shall become part of the Siuslaw National Forest.

(Pub. L. 93-535, §4, Dec. 22, 1974, 88 Stat. 1733.)

**§ 541d. Acquisition of property within the scenic-research area; consent of owner; substantial change in use or maintenance of property****(a) Acquisition of lands, waters and interests by donation, purchase, etc.**

Subject to the provisions of subsection (b) of this section, the Secretary is authorized to acquire lands, waters, or interests therein within the Area by donation, purchase, exchange, or otherwise.