

L. 94-579, Oct. 21, 1976, 90 Stat. 2743, as amended, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of this title and Tables.

CODIFICATION

November 12, 1996, referred to in subsec. (e)(1), was in the original “the date of enactment of this Act”, which was translated as meaning the date of enactment of Pub. L. 104-333, which amended this section generally, to reflect the probable intent of Congress.

Section was enacted as part of the San Juan Basin Wilderness Protection Act of 1984, and not as part of the Federal Land Policy and Management Act of 1976 which comprises this chapter.

AMENDMENTS

2000—Subsec. (b)(1). Pub. L. 106-176, §124(1), substituted “Committee on Resources” for “Committee on Natural Resources”.

Subsec. (e)(1). Pub. L. 106-176, §124(2), which directed amendment of par. (1) by substituting “this subsection” for “this Act”, was executed by making the substitution following “consistent with”, to reflect the probable intent of Congress.

Pub. L. 106-176, §124(1), substituted ‘Committee on Resources’ for ‘Committee on Natural Resources’.

1996—Pub. L. 104-333 amended section generally. Prior to amendment, section read as follows:

“(a) In recognition of its paramount aesthetic, natural, scientific, educational, and paleontological values, the approximately two thousand seven hundred and twenty acre area in the Albuquerque District of the Bureau of Land Management, New Mexico, known as the ‘Fossil Forest’, as generally depicted on a map entitled ‘Fossil Forest’, dated June 1983, is hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and geothermal leasing and all amendments thereto. The Secretary of the Interior shall administer the area in accordance with the Federal Land Policy and Management Act and shall take such measures as are necessary to ensure that no activities are permitted within the area which would significantly disturb the land surface or impair the area’s existing natural, educational, and scientific research values, including paleontological study, excavation, and interpretation.

“(b) Within one year of October 30, 1984, the Secretary of the Interior shall promulgate rules and regulations for the administration of the Fossil Forest area referred to in subsection (a) of this section in accordance with the provisions of this Act and shall file a copy of such rules and regulations with the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.

“(c) The Bureau of Land Management is hereby directed to conduct a long-range study of the Fossil Forest to determine how best to manage the area’s resource values identified in subsection (a) of this section. Within eight years of October 30, 1984, the Secretary shall forward the study results and management plan for the area to Congress. During the study period and until Congress determines otherwise, the Fossil Forest area shall be managed under the provisions of this Act.”

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.

§ 1786. Piedras Blancas Historic Light Station

(a) Definitions

In this section:

(1) Light Station

The term “Light Station” means Piedras Blancas Light Station.

(2) Outstanding Natural Area

The term “Outstanding Natural Area” means the Piedras Blancas Historic Light Station Outstanding Natural Area established pursuant to subsection (c).

(3) Public lands

The term “public lands” has the meaning stated in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1703(e)).¹

(4) Secretary

The term “Secretary” means the Secretary of the Interior.

(b) Findings

Congress finds as follows:

(1) The publicly owned Piedras Blancas Light Station has nationally recognized historical structures that should be preserved for present and future generations.

(2) The coastline adjacent to the Light Station is internationally recognized as having significant wildlife and marine habitat that provides critical information to research institutions throughout the world.

(3) The Light Station tells an important story about California’s coastal prehistory and history in the context of the surrounding region and communities.

(4) The coastal area surrounding the Light Station was traditionally used by Indian people, including the Chumash and Salinan Indian tribes.

(5) The Light Station is historically associated with the nearby world-famous Hearst Castle (Hearst San Simeon State Historical Monument), now administered by the State of California.

(6) The Light Station represents a model partnership where future management can be successfully accomplished among the Federal Government, the State of California, San Luis Obispo County, local communities, and private groups.

(7) Piedras Blancas Historic Light Station Outstanding Natural Area would make a significant addition to the National Landscape Conservation System administered by the Department of the Interior’s Bureau of Land Management.

(8) Statutory protection is needed for the Light Station and its surrounding Federal lands to ensure that it remains a part of our historic, cultural, and natural heritage and to be a source of inspiration for the people of the United States.

(c) Designation of the Piedras Blancas Historic Light Station Outstanding Natural Area

(1) In general

In order to protect, conserve, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important historical, natural, cultural, scientific, educational, scenic, and recreational values of certain lands in and around the Piedras Blancas Light Station, in San Luis Obispo County, California, while allowing cer-

¹ So in original. Probably should be “1702(e).”

tain recreational and research activities to continue, there is established, subject to valid existing rights, the Piedras Blancas Historic Light Station Outstanding Natural Area.

(2) Maps and legal descriptions

The boundaries of the Outstanding Natural Area as those shown on the map entitled “Piedras Blancas Historic Light Station: Outstanding Natural Area”, dated May 5, 2004, which shall be on file and available for public inspection in the Office of the Director, Bureau of Land Management, United States Department of the Interior, and the State office of the Bureau of Land Management in the State of California.

(3) Basis of management

The Secretary shall manage the Outstanding Natural Area as part of the National Landscape Conservation System to protect the resources of the area, and shall allow only those uses that further the purposes for the establishment of the Outstanding Natural Area, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable laws.

(4) Withdrawal

Subject to valid existing rights, and in accordance with the existing withdrawal as set forth in Public Land Order 7501 (Oct. 12, 2001, Vol. 66, No. 198, Federal Register 52149), the Federal lands and interests in lands included within the Outstanding Natural Area are hereby withdrawn from—

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

(d) Management of the Piedras Blancas Historic Light Station Outstanding Natural Area

(1) In general

The Secretary shall manage the Outstanding Natural Area in a manner that conserves, protects, and enhances the unique and nationally important historical, natural, cultural, scientific, educational, scenic, and recreational values of that area, including an emphasis on preserving and restoring the Light Station facilities, consistent with the requirements of subsection (c)(3).

(2) Uses

Subject to valid existing rights, the Secretary shall only allow such uses of the Outstanding Natural Area as the Secretary finds are likely to further the purposes for which the Outstanding Natural Area is established as set forth in subsection (c)(1).

(3) Management plan

Not later than 3 years after of² May 8, 2008, the Secretary shall complete a comprehensive management plan consistent with the requirements of section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C.

1712) to provide long-term management guidance for the public lands within the Outstanding Natural Area and fulfill the purposes for which it is established, as set forth in subsection (c)(1). The management plan shall be developed in consultation with appropriate Federal, State, and local government agencies, with full public participation, and the contents shall include—

(A) provisions designed to ensure the protection of the resources and values described in subsection (c)(1);

(B) objectives to restore the historic Light Station and ancillary buildings;

(C) an implementation plan for a continuing program of interpretation and public education about the Light Station and its importance to the surrounding community;

(D) a proposal for minimal administrative and public facilities to be developed or improved at a level compatible with achieving the resources objectives for the Outstanding Natural Area as described in paragraph (1) and with other proposed management activities to accommodate visitors and researchers to the Outstanding Natural Area; and

(E) cultural resources management strategies for the Outstanding Natural Area, prepared in consultation with appropriate departments of the State of California, with emphasis on the preservation of the resources of the Outstanding Natural Area and the interpretive, education, and long-term scientific uses of the resources, giving priority to the enforcement of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the Outstanding Natural Area.

(4) Cooperative agreements

In order to better implement the management plan and to continue the successful partnerships with the local communities and the Hearst San Simeon State Historical Monument, administered by the California Department of Parks and Recreation, the Secretary may enter into cooperative agreements with the appropriate Federal, State, and local agencies pursuant to section 307(b) of the Federal Land Management³ Policy and Management Act of 1976 (43 U.S.C. 1737(b)).

(5) Research activities

In order to continue the successful partnership with research organizations and agencies and to assist in the development and implementation of the management plan, the Secretary may authorize within the Outstanding Natural Area appropriate research activities for the purposes identified in subsection (c)(1) and pursuant to section 307(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737(a)).

(6) Acquisition

State and privately held lands or interests in lands adjacent to the Outstanding Natural Area and identified as appropriate for acquisi-

² So in original. The word “of” probably should not appear.

³ So in original. The word “Management” probably should not appear.

tion in the management plan may be acquired by the Secretary as part of the Outstanding Natural Area only by—

- (A) donation;
- (B) exchange with a willing party; or
- (C) purchase from a willing seller.

(7) Additions to the Outstanding Natural Area

Any lands or interest in lands adjacent to the Outstanding Natural Area acquired by the United States after May 8, 2008, shall be added to and administered as part of the Outstanding Natural Area.

(8) Overflights

Nothing in this section or the management plan shall be construed to—

(A) restrict or preclude overflights, including low level overflights, military, commercial, and general aviation overflights that can be seen or heard within the Outstanding Natural Area;

(B) restrict or preclude the designation or creation of new units of special use airspace or the establishment of military flight training routes over the Outstanding Natural Area; or

(C) modify regulations governing low-level overflights above the adjacent Monterey Bay National Marine Sanctuary.

(9) Law enforcement activities

Nothing in this section shall be construed to preclude or otherwise affect coastal border security operations or other law enforcement activities by the Coast Guard or other agencies within the Department of Homeland Security, the Department of Justice, or any other Federal, State, and local law enforcement agencies within the Outstanding Natural Area.

(10) Native American uses and interests

In recognition of the past use of the Outstanding Natural Area by Indians and Indian tribes for traditional cultural and religious purposes, the Secretary shall ensure access to the Outstanding Natural Area by Indians and Indian tribes for such traditional cultural and religious purposes. In implementing this subsection, the Secretary, upon the request of an Indian tribe or Indian religious community, shall temporarily close to the general public use of one or more specific portions of the Outstanding Natural Area in order to protect the privacy of traditional cultural and religious activities in such areas by the Indian tribe or Indian religious community. Any such closure shall be made to affect the smallest practicable area for the minimum period necessary for such purposes. Such access shall be consistent with the purpose and intent of Public Law 95-341 (42 U.S.C. 1996 et seq.; commonly referred to as the “American Indian Religious Freedom Act”).

(11) No buffer zones

The designation of the Outstanding Natural Area is not intended to lead to the creation of protective perimeters or buffer zones around⁴ area. The fact that activities outside the Outstanding Natural Area and not consistent with

the purposes of this section can be seen or heard within the Outstanding Natural Area shall not, of itself, preclude such activities or uses up to the boundary of the Outstanding Natural Area.

(e) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section.

(Pub. L. 110-229, title II, §201, May 8, 2008, 122 Stat. 759.)

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (c)(3), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of this title and Tables.

The Archaeological Resources Protection Act of 1979, referred to in subsec. (d)(3)(E), is Pub. L. 96-95, Oct. 31, 1979, 93 Stat. 721, which is classified generally to chapter 1B (§470aa et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 470aa of Title 16 and Tables.

The National Historic Preservation Act, referred to in subsec. (d)(3)(E), is Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, which is classified generally to subchapter II (§470 et seq.) of chapter 1A of Title 16, Conservation. For complete classification of this Act to the Code, see section 470(a) of Title 16 and Tables.

The American Indian Religious Freedom Act, referred to in subsec. (d)(10), is Pub. L. 95-341, Aug. 11, 1978, 92 Stat. 469, which is classified to sections 1996 and 1996a of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1996 of Title 42 and Tables.

CODIFICATION

Section was enacted as part of the Consolidated Natural Resources Act of 2008, and not as part of the Federal Land Policy and Management Act of 1976 which comprises this chapter.

§ 1787. Jupiter Inlet Lighthouse Outstanding Natural Area

(a) Definitions

In this section:

(1) Commandant

The term “Commandant” means the Commandant of the Coast Guard.

(2) Lighthouse

The term “Lighthouse” means the Jupiter Inlet Lighthouse located in Palm Beach County, Florida.

(3) Local Partners

The term “Local Partners” includes—

- (A) Palm Beach County, Florida;
- (B) the Town of Jupiter, Florida;
- (C) the Village of Tequesta, Florida; and
- (D) the Loxahatchee River Historical Society.

(4) Management plan

The term “management plan” means the management plan developed under subsection (c)(1).

(5) Map

The term “map” means the map entitled “Jupiter Inlet Lighthouse Outstanding Natural Area” and dated October 29, 2007.

⁴ So in original. Probably should be followed by “the”.