

Pub. L. 108-108, title III, §334, Nov. 10, 2003, 117 Stat. 1312.)

AMENDMENTS

2003—Subsec. (c). Pub. L. 108-108 amended heading and text of subsec. (c) generally. Prior to amendment, text read as follows: “Until September 30, 2004, the Secretary of Agriculture may expend amounts appropriated or otherwise made available to carry out this subchapter in a manner consistent with the authorities exercised by the Tennessee Valley Authority, before the transfer of the Recreation Area to the administrative jurisdiction of the Secretary, regarding procurement of property, services, supplies, and equipment.”

2001—Subsec. (c). Pub. L. 107-63 substituted “2004” for “2002”.

2000—Subsec. (c). Pub. L. 106-291 added subsec. (c).

SUBCHAPTER CXXIV—MCINNIS CANYONS NATIONAL CONSERVATION AREA

§ 460mmm. Findings and purpose

(a) Findings

Congress finds that certain areas located in the Grand Valley in Mesa County, Colorado, and Grand County, Utah, should be protected and enhanced for the benefit and enjoyment of present and future generations. These areas include the following:

(1) The areas making up the Black Ridge and Ruby Canyons of the Grand Valley and Rabbit Valley, which contain unique and valuable scenic, recreational, multiple use opportunities (including grazing), paleontological, natural, and wildlife components enhanced by the rural western setting of the area, provide extensive opportunities for recreational activities, and are publicly used for hiking, camping, and grazing, and are worthy of additional protection as a national conservation area.

(2) The Black Ridge Canyons Wilderness Study Area has wilderness value and offers unique geological, paleontological, scientific, and recreational resources.

(b) Purpose

The purpose of this subchapter is to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important values of the public lands described in section 460mmm-2(b) of this title, including geological, cultural, paleontological, natural, scientific, recreational, environmental, biological, wilderness, wildlife education, and scenic resources of such public lands, by establishing the McInnis Canyons National Conservation Area and the Black Ridge Canyons Wilderness in the State of Colorado and the State of Utah.

(Pub. L. 106-353, §2, Oct. 24, 2000, 114 Stat. 1374; Pub. L. 108-400, §1(a), Oct. 30, 2004, 118 Stat. 2254.)

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-400 substituted “McInnis Canyons” for “Colorado Canyons”.

CHANGE OF NAME

Pub. L. 108-400, §1(f), Oct. 30, 2004, 118 Stat. 2254, provided that: “Any reference in a law, map, regulation, document, paper, or other record of the United States to the ‘Colorado Canyons National Conservation Area’ shall be deemed to be a reference to the ‘McInnis Canyons National Conservation Area’.”

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-400, §1(g), Oct. 30, 2004, 118 Stat. 2254, provided that: “This section [amending this section and sections 460mmm-1, 460mmm-2, and 460mmm-6 of this title, enacting provisions set out as a note under this section, and amending provisions set out as a note under this section] and the amendments made by this section take effect on January 1, 2005.”

SHORT TITLE

Pub. L. 106-353, §1, Oct. 24, 2000, 114 Stat. 1374, as amended by Pub. L. 108-400, §1(e), Oct. 30, 2004, 118 Stat. 2254, provided that: “This Act [enacting this subchapter and provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the ‘McInnis Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000’.”

§ 460mmm-1. Definitions

In this subchapter:

(1) Conservation Area

The term “Conservation Area” means the McInnis Canyons National Conservation Area established by section 460mmm-2(a) of this title.

(2) Council

The term “Council” means the McInnis Canyons National Conservation Area Advisory Council established under section 460mmm-6 of this title.

(3) Management plan

The term “management plan” means the management plan developed for the Conservation Area under section 460mmm-4(h) of this title.

(4) Map

The term “Map” means the map entitled “Proposed Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Area” and dated July 18, 2000.

(5) Secretary

The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(6) Wilderness

The term “Wilderness” means the Black Ridge Canyons Wilderness so designated in section 460mmm-3 of this title.

(Pub. L. 106-353, §3, Oct. 24, 2000, 114 Stat. 1374; Pub. L. 108-400, §1(b), Oct. 30, 2004, 118 Stat. 2254.)

AMENDMENTS

2004—Pars. (1), (2). Pub. L. 108-400 substituted “McInnis” for “Colorado”.

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-400 effective Jan. 1, 2005, see section 1(g) of Pub. L. 108-400, set out as a note under section 460mmm of this title.

§ 460mmm-2. McInnis Canyons National Conservation Area

(a) In general

There is established the McInnis Canyons National Conservation Area in the State of Colorado and the State of Utah.

(b) Areas included

The Conservation Area shall consist of approximately 122,300 acres of public land as generally depicted on the Map.

(Pub. L. 106-353, § 4, Oct. 24, 2000, 114 Stat. 1375; Pub. L. 108-400, § 1(c), Oct. 30, 2004, 118 Stat. 2254.)

AMENDMENTS

2004—Pub. L. 108-400, § 1(c)(1), substituted “McInnis” for “Colorado” in section catchline.

Subsec. (a). Pub. L. 108-400, § 1(c)(2), substituted “McInnis Canyons” for “Colorado Canyons”.

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-400 effective Jan. 1, 2005, see section 1(g) of Pub. L. 108-400, set out as a note under section 460mmm of this title.

§ 460mmm-3. Black Ridge Canyons Wilderness designation

Certain lands in Mesa County, Colorado, and Grand County, Utah, which comprise approximately 75,550 acres as generally depicted on the Map, are hereby designated as wilderness and therefore as a component of the National Wilderness Preservation System. Such component shall be known as the Black Ridge Canyons Wilderness.

(Pub. L. 106-353, § 5, Oct. 24, 2000, 114 Stat. 1375.)

§ 460mmm-4. Management**(a) Conservation Area**

The Secretary shall manage the Conservation Area in a manner that—

- (1) conserves, protects, and enhances the resources of the Conservation Area specified in section 460mmm(b)¹ of this title; and
- (2) is in accordance with—
 - (A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
 - (B) other applicable law, including this subchapter.

(b) Uses

The Secretary shall allow only such uses of the Conservation Area as the Secretary determines will further the purposes for which the Conservation Area is established.

(c) Withdrawals

Subject to valid existing rights, all Federal land within the Conservation Area and the Wilderness and all land and interests in land acquired for the Conservation Area or the Wilderness by the United States are withdrawn from—

- (1) all forms of entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) the operation of the mineral leasing, mineral materials, and geothermal leasing laws, and all amendments thereto.

Nothing in this subsection shall be construed to affect discretionary authority of the Secretary under other Federal laws to grant, issue, or renew rights-of-way or other land use authorizations consistent with the other provisions of this subchapter.

¹ So in original. Probably should be section “460mmm(a)”.

(d) Off-highway vehicle use**(1) In general**

Except as provided in paragraph (2), use of motorized vehicles in the Conservation Area—

(A) before the effective date of a management plan under subsection (h) of this section, shall be allowed only on roads and trails designated for use of motor vehicles in the management plan that applies on October 24, 2000, to the public lands in the Conservation Area; and

(B) after the effective date of a management plan under subsection (h) of this section, shall be allowed only on roads and trails designated for use of motor vehicles in that management plan.

(2) Administrative and emergency response use

Paragraph (1) shall not limit the use of motor vehicles in the Conservation Area as needed for administrative purposes or to respond to an emergency.

(e) Wilderness

Subject to valid existing rights, lands designated as wilderness by this subchapter shall be managed by the Secretary, as appropriate, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this subchapter, except that, with respect to any wilderness areas designated by this subchapter, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to October 24, 2000.

(f) Hunting, trapping, and fishing**(1) In general**

Hunting, trapping, and fishing shall be allowed within the Conservation Area and the Wilderness in accordance with applicable laws and regulations of the United States and the States of Colorado and Utah.

(2) Area and time closures

The head of the Colorado Division of Wildlife (in reference to land within the State of Colorado), the head of the Utah Division of Wildlife (in reference to land within the State of Utah), or the Secretary after consultation with the Colorado Division of Wildlife (in reference to land within the State of Colorado) or the head of the Utah Division of Wildlife (in reference to land within the State of Utah), may issue regulations designating zones where, and establishing limited periods when, hunting, trapping, or fishing shall be prohibited in the Conservation Area or the Wilderness for reasons of public safety, administration, or public use and enjoyment.

(g) Grazing**(1) In general**

Except as provided by paragraph (2), the Secretary shall issue and administer any grazing leases or permits in the Conservation Area and the Wilderness in accordance with the same laws (including regulations) and Executive orders followed by the Secretary in issuing and administering grazing leases and permits on other land under the jurisdiction of the Bureau of Land Management.