

(Pub. L. 103-64, §7, Aug. 4, 1993, 107 Stat. 310.)

SUBCHAPTER CXXI—JEMEZ NATIONAL
RECREATIONAL AREA

§ 460jjj. Establishment

(a) In general

In order to conserve, protect, and restore the recreational, ecological, cultural, religious, and wildlife resource values of the Jemez Mountains, there is hereby established the Jemez National Recreational Area (hereinafter in this subchapter referred to as the "recreation area"), to be administered by the Secretary of Agriculture (hereinafter in this subchapter referred to as the "Secretary").

(b) Area included

The recreation area shall be comprised of approximately 57,000 acres of lands and interests in lands within the Santa Fe National Forest as generally depicted on the map entitled "Jemez National Recreation Area—Proposed" and dated September 1992. The map shall be on file and available for public inspection in the offices of the Chief of the Forest Service, Department of Agriculture, Washington, District of Columbia. The Secretary may from time to time, in consultation with local tribal leaders, make minor revisions in the boundary of the recreation area to promote management effectiveness and efficiency in furtherance of the purposes of this subchapter.

(c) Map and description

As soon as practicable after October 12, 1993, the Secretary shall file a map and legal description of the recreation area with the Committee on Natural Resources of the House of Representatives and with the Committee on Energy and Natural Resources and the Committee on Indian Affairs of the Senate. Such map and legal description shall have the same force and effect as if included in this subchapter, except that correction of clerical and typographical errors in such legal description and map may be made. Such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

(d) No additional lands

No lands or interests therein outside of the boundaries of the recreation area may be added to the recreation area without specific authorization by Congress.

(Pub. L. 103-104, §1, Oct. 12, 1993, 107 Stat. 1025; Pub. L. 103-437, §6(q), Nov. 2, 1994, 108 Stat. 4587.)

AMENDMENTS

1994—Subsec. (c). Pub. L. 103-437 in first sentence struck out "Select" before "Committee on Indian Affairs".

§ 460jjj-1. Administration

(a) In general

The Secretary shall administer the recreation area in accordance with this subchapter and the laws, rules, and regulations applicable to National Forest System lands in a manner that will further the purposes of the recreation area.

Management of the natural resources within the recreation area shall be permitted only to the extent that such management is compatible with and does not impair the purposes for which the recreation area is established. Recreational activities within the recreation area shall include (but not be limited to) hiking, camping, hunting, fishing, skiing, backpacking, rock climbing, and swimming.

(b) Management plan

The Secretary shall, no later than 5 years after October 12, 1993, develop a management plan for the recreation area, as an amendment to the Santa Fe National Forest Land and Resource Management Plan, to reflect the establishment of the recreation area and to conform to the provisions of this subchapter. Nothing in this subchapter shall require the Secretary to revise the Santa Fe Forest Land and Resource Management Plan pursuant to section 1604 of this title. During development of the management plan for the recreation area, the Secretary shall study newly designated land within the recreation area, and adjacent national forest land.

(c) Cultural resources

In administering the recreation area, the Secretary shall give particular emphasis to the preservation, stabilization, and protection of cultural resources located within the recreation area in furtherance of the Archaeological Resources Protection Act of 1979 [16 U.S.C. 470aa et seq.], the National Historic Preservation Act,¹ and the Act of August 11, 1978 [42 U.S.C. 1996, 1996a] (commonly referred to as the "American Indian Religious Freedom Act").

(d) Native Americans

(1) In recognition of the historic use of portions of the recreation area by Indian peoples for traditional cultural and customary uses, the Secretary shall, subject to the provisions of subsection (n) of this section in consultation with local tribal leaders, ensure the protection of religious and cultural sites and provide access from time to time to those sites by Indian peoples for traditional cultural and customary uses. Such access shall be consistent with the purpose and intent of the Act of August 11, 1978 [42 U.S.C. 1996, 1996a] (commonly referred to as the "American Indian Religious Freedom Act"). The Secretary, in accordance with such Act, upon request of an Indian tribe or pueblo, may from time to time temporarily close to general public use one or more specific portions of the recreational area in order to protect traditional and customary uses in such portions by Indian peoples.

(2) In preparing and implementing management plans for the recreation area, the Secretary shall request that the Governor of the Pueblo of Jemez and the chief executive officers of other appropriate Indian tribes and pueblos make recommendations on methods of—

(A) assuring access to religious and cultural sites;

(B) enhancing the privacy and continuity of traditional cultural and religious activities in the recreation area; and

¹ See References in Text note below.