

REFERENCES IN TEXT

The Archaeological Resources Protection Act of 1979, referred to in subsec. (b)(4), is Pub. L. 96-95, Oct. 31, 1979, 93 Stat. 721, as amended, which is classified generally to chapter 1B (§470aa et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 470aa of this title and Tables.

The National Historic Preservation Act, referred to in subsec. (b)(4), is Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, which was classified generally to subchapter II (§470 et seq.) of chapter 1A of this title. The Act, except for section 1, was repealed and restated in division A (§300101 et seq.) of subtitle III of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

The Federal Cave Resources Protection Act of 1988, referred to in subsec. (b)(9), is Pub. L. 100-691, Nov. 18, 1988, 102 Stat. 4546, which is classified generally to chapter 63 (§4301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4301 of this title and Tables.

§ 460000-6. Land acquisition

(a) In general

(1) Priority to conservation easements

In acquiring lands or interest in lands under this section, the Secretary shall give priority to such acquisitions in the form of conservation easements.

(2) Private lands

The Secretary is authorized to acquire privately held lands or interest in lands within the boundaries of the Acquisition Planning District only from a willing seller through donation, exchange, or purchase.

(3) County lands

The Secretary is authorized to acquire county lands or interest in lands within the boundaries of the Acquisition Planning District only with the consent of the county through donation, exchange, or purchase.

(4) State lands

(A) In general

The Secretary is authorized to acquire lands or interest in lands owned by the State of Arizona located within the boundaries of the Acquisition Planning District only with the consent of the State and in accordance with State law, by donation, exchange, or purchase.

(B) Consideration

As consideration for the acquisitions by the United States of lands or interest in lands under this paragraph, the Secretary shall pay fair market value for such lands or shall convey to the State of Arizona all or some interest in Federal lands (including buildings and other improvements on such lands or other Federal property other than real property) or any other asset of equal value within the State of Arizona.

(C) Transfer of jurisdiction

All Federal agencies are authorized to transfer jurisdiction of Federal lands or interest in lands (including buildings and

other improvements on such lands or other Federal property other than real property) or any other asset within the State of Arizona to the Bureau of Land Management for the purpose of acquiring lands or interest in lands as provided for in this paragraph.

(b) Management of acquired lands

Lands acquired under this section shall, upon acquisition, become part of the Conservation Area and shall be administered as part of the Conservation Area. These lands shall be managed in accordance with this subchapter, other applicable laws, and the management plan.

(Pub. L. 106-538, §7, Dec. 6, 2000, 114 Stat. 2567.)

LAND EXCHANGE AND CONSERVATION IN ARIZONA

For provisions relating to land exchange and conservation in southeastern Arizona, see section 539p of this title.

§ 460000-7. Reports to Congress

(a) Protection of certain lands

Not later than 2 years after December 6, 2000, the Secretary shall submit to Congress a report describing the most effective measures to protect the lands north of the Acquisition Planning District within the Rincon Valley, Colossal Cave area, and Agua Verde Creek corridor north of Interstate 10 to provide an ecological link to Saguaro National Park and the Rincon Mountains and contribute to local government conservation priorities.

(b) Implementation of this subchapter

Not later than 5 years after December 6, 2000, and at least at the end of every 10-year period thereafter, the Secretary shall submit to Congress a report describing the implementation of this subchapter, the condition of the resources and values of the Conservation Area, and the progress of the Secretary in achieving the purposes for which the Conservation Area is established as set forth in section 460000-3(a) of this title.

(Pub. L. 106-538, §8, Dec. 6, 2000, 114 Stat. 2568.)

SUBCHAPTER CXXVII—BLACK ROCK DESERT-HIGH ROCK CANYON EMIGRANT TRAILS NATIONAL CONSERVATION AREA

§ 460ppp. Findings

The Congress finds the following:

(1) The areas of northwestern Nevada known as the Black Rock Desert and High Rock Canyon contain and surround the last nationally significant, untouched segments of the historic California emigrant Trails,¹ including wagon ruts, historic inscriptions, and a wilderness landscape largely unchanged since the days of the pioneers.

(2) The relative absence of development in the Black Rock Desert and high² Rock Canyon areas from emigrant times to the present day offers a unique opportunity to capture the terrain, sights, and conditions of the overland trails as they were experienced by the emi-

¹ So in original. Probably should not be capitalized.

² So in original. Probably should be capitalized.

grants and to make available to both present and future generations of Americans the opportunity of experiencing emigrant conditions in an unaltered setting.

(3) The Black Rock Desert and High Rock Canyon areas are unique segments of the Northern Great Basin and contain broad representation of the Great Basin's land forms and plant and animal species, including golden eagles and other birds of prey, sage grouse, mule deer, pronghorn antelope, bighorn sheep, free roaming horses and burros, threatened fish and sensitive plants.

(4) The Black Rock-High Rock region contains a number of cultural and natural resources that have been declared eligible for National Historic Landmark and Natural Landmark status, including a portion of the 1843-44 John Charles Fremont exploration route, the site of the death of Peter Lassen, early military facilities, and examples of early homesteading and mining.

(5) The archeological, paleontological, and geographical resources of the Black Rock-High Rock region include numerous prehistoric and historic Native American sites, woolly mammoth sites, some of the largest natural pot-holes of North America, and a remnant dry Pleistocene lakebed (playa) where the curvature of the Earth may be observed.

(6) The two large wilderness mosaics that frame the conservation area offer exceptional opportunities for solitude and serve to protect the integrity of the viewshed of the historic emigrant trails.

(7) Public lands in the conservation area have been used for domestic livestock grazing for over a century, with resultant benefits to community stability and contributions to the local and State economies. It has not been demonstrated that continuation of this use would be incompatible with appropriate protection and sound management of the resource values of these lands; therefore, it is expected that such grazing will continue in accordance with the management plan for the conservation area and other applicable laws and regulations.

(8) The Black Rock Desert playa is a unique natural resource that serves as the primary destination for the majority of visitors to the conservation area, including visitors associated with large-scale permitted events. It is expected that such permitted events will continue to be administered in accordance with the management plan for the conservation area and other applicable laws and regulations.

(Pub. L. 106-554, §1(a)(4) [div. B, title I, §125 [§2]], Dec. 21, 2000, 114 Stat. 2763, 2763A-229, 2763A-353.)

SHORT TITLE

Pub. L. 106-554, §1(a)(4) [div. B, title I, §125 [§1]], Dec. 21, 2000, 114 Stat. 2763, 2763A-229, 2763A-353, provided that: "This Act [S. 2273, as enacted by section 1(a)(4)[div. B, title I, §125] of Pub. L. 106-554, 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 'Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Act of 2000'."

§ 460ppp-1. Definitions

As used in this subchapter:

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "public lands" has the meaning stated in section 1702(e) of title 43.

(3) The term "conservation area" means the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area established pursuant to section 460ppp-2 of this title.

(Pub. L. 106-554, §1(a)(4) [div. B, title I, §125 [§3]], Dec. 21, 2000, 114 Stat. 2763, 2763A-229, 2763A-354.)

§ 460ppp-2. Establishment of the conservation area

(a) Establishment and purposes

In order to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important historical, cultural, paleontological, scenic, scientific, biological, educational, wildlife, riparian, wilderness, endangered species, and recreational values and resources associated with the Applegate-Lassen and Nobles Trails corridors and surrounding areas, there is hereby established the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area in the State of Nevada.

(b) Areas included

The conservation area shall consist of approximately 797,100 acres of public lands as generally depicted on the map entitled "Black Rock Desert Emigrant Trail National Conservation Area" and dated October 3, 2001.

(c) Maps and legal description

As soon as practicable after December 21, 2000, the Secretary shall submit to Congress a map and legal description of the conservation area. The map and legal description shall have the same force and effect as if included in this subchapter, except the Secretary may correct clerical and typographical errors in such map and legal description. Copies of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(Pub. L. 106-554, §1(a)(4) [div. B, title I, §125 [§4]], Dec. 21, 2000, 114 Stat. 2763, 2763A-229, 2763A-354; Pub. L. 107-63, title I, §135(a), Nov. 5, 2001, 115 Stat. 443.)

AMENDMENTS

2001—Subsec. (b). Pub. L. 107-63 substituted "October 3, 2001" for "July 19, 2000".

§ 460ppp-3. Management

(a) Management

The Secretary, acting through the Bureau of Land Management, shall manage the conservation area in a manner that conserves, protects, and enhances its resources and values, including those resources and values specified in subsection¹ 460ppp-2(a) of this title, in accordance with this subchapter, the Federal Land Policy

¹ So in original. Probably should be "section".