

**§ 460bbb-9. State and local jurisdiction and assistance**

**(a) State and local jurisdiction**

Nothing in this subchapter shall diminish, enlarge, or modify any right of the State of California or any political subdivision thereof, to exercise civil and criminal jurisdiction or to carry out State fish and game laws, rules, and regulations within the recreation area, or to tax persons, franchise, or private property on the lands and waters included in the recreation area, or to regulate the private lands within the recreation area.

**(b) Cooperative agreements**

The Secretary is authorized and encouraged to enter into cooperative agreements with the State of California or its political subdivisions for—

- (1) the rendering on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire prevention agencies; and
- (2) the planning for use, management, and development of non-Federal lands within the recreation area and elsewhere in the Smith River watershed in the furtherance of the purposes of this subchapter.

**(c) Technical assistance**

To enable the State of California and its political subdivisions to develop and implement programs compatible with the purposes of this subchapter, the Secretary, in consultation with the Secretaries of the Interior, Commerce, and Housing and Urban Development, shall consider upon request such technical assistance to the State and its political subdivisions as is necessary to fulfill the purposes of this section. Such assistance may include payments or grants, within existing programs, for technical aid and program development.

**(d) Land information system**

The Secretary of Agriculture shall assist the county of Del Norte in developing a land information system that will be compatible with the Forest Service and National Park Service systems for the Federal lands in Del Norte County and such non-Federal systems as may be appropriate and that will be made available to Federal and non-Federal entities for use in coordinating planning for the recreation area and other lands in the Smith River watershed.

(Pub. L. 101-612, § 12, Nov. 16, 1990, 104 Stat. 3221.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a), (b)(2), and (c), was in the original "this Act", meaning Pub. L. 101-612, Nov. 16, 1990, 104 Stat. 3209, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460bbb of this title and Tables.

**§ 460bbb-10. Savings provision**

**(a) Activities on lands outside of recreation area**

Nothing in this subchapter shall limit, restrict, or require specific management practices on lands outside the recreation area boundary. The fact that activities or uses outside the recreation area can be seen, heard, or otherwise

perceived within the recreation area shall not, of itself, limit, restrict, or preclude such activities or uses up to the boundary of the recreation area.

**(b) Prior rights**

(1) Nothing in this subchapter shall limit, restrict, or preclude the implementation of valid timber sale contracts or other contracts or agreements executed by the Secretary before November 16, 1990.

(2) Except as specifically provided herein nothing in this subchapter shall be construed as diminishing or relinquishing any right, title, or interest of the United States in any lands, waters, or interests therein within the boundaries of the recreation area designated by this subchapter.

**(c) Road easements**

Nothing in this subchapter shall be construed as affecting the responsibilities of the State of California or any of its political subdivisions with respect to road easements, including maintenance and improvement of State Highway 199 and County Route 427.

**(d) Rights of access**

Existing rights provided by Federal law for access by private landowners across National Forest System lands shall not be affected by this subchapter.

**(e) Entitlement moneys**

Annually for the first two full fiscal years after November 16, 1990, the Secretary shall pay for use by units of local government within the recreation area an amount equal to the difference between the amounts payable for such purposes pursuant to the Act of May 23, 1908 (chapter 193; 35 Stat. 251; 16 U.S.C. 500) and the average amount paid for such purpose under such Act during the five fiscal years preceding November 16, 1990. The amount payable under this subsection shall be reduced by 10 percent annually thereafter for each succeeding fiscal year until the amount payable shall be reduced 100 percent by the end of the twelfth fiscal year after November 16, 1990. This subsection shall expire 11 years after the first payment pursuant to this subsection.

(Pub. L. 101-612, § 13, Nov. 16, 1990, 104 Stat. 3222.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a) to (d), was in the original "this Act", meaning Pub. L. 101-612, Nov. 16, 1990, 104 Stat. 3209, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460bbb of this title and Tables.

Act of May 23, 1908 (chapter 193; 35 Stat. 251; 16 U.S.C. 500), referred to in subsec. (e), probably means act May 23, 1908, ch. 192, 35 Stat. 260, which is classified to section 500 of this title.

**§ 460bbb-11. Authorization of appropriations**

There are authorized to be appropriated such funds as may be necessary to carry out this subchapter and the amendments made by this subchapter.

(Pub. L. 101-612, § 14, Nov. 16, 1990, 104 Stat. 3222.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this Act", meaning Pub. L. 101-612, Nov. 16, 1990,

104 Stat. 3209, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460bbb of this title and Tables.

SUBCHAPTER CXIV—RED ROCK CANYON  
NATIONAL CONSERVATION AREA

§ 460ccc. Definitions

For the purposes of this subchapter, the term—

(a) “conservation area” means the Red Rock Canyon National Conservation Area established pursuant to section 460ccc-1 of this title;

(b) “public lands” has the meaning stated in section 1702(e) of title 43; and

(c) “Secretary” means the Secretary of the Interior.

(Pub. L. 101-621, § 2, Nov. 16, 1990, 104 Stat. 3342.)

SHORT TITLE

Pub. L. 101-621, § 1, Nov. 16, 1990, 104 Stat. 3342, provided that: “This Act [enacting this subchapter] may be cited as the ‘Red Rock Canyon National Conservation Area Establishment Act of 1990.’”

§ 460ccc-1. Establishment

(a) In general

(1) In order to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the area in southern Nevada containing and surrounding the Red Rock Canyon and the unique and nationally important geologic, archeological, ecological, cultural, scenic, scientific, wildlife, riparian, wilderness, endangered species, and recreation resources of the public lands therein contained, there is established the Red Rock Canyon National Conservation Area.

(2) The conservation area shall consist of approximately 195,780 acres as generally depicted on the map entitled “Red Rock Canyon National Conservation Area Administrative Boundary Modification”, dated August 8, 1996, and such additional areas as are included in the conservation area pursuant to the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002.

(3) The map referred to in paragraph (2) shall be on file and available for inspection in the appropriate offices of the Bureau of Land Management, Department of the Interior.

(b) Legal description

(1) As soon as practicable after November 16, 1990, the Secretary shall file a legal description of the conservation area established by subsection (a) with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, and such legal description shall have the same force and effect as if included in this subchapter, except that the Secretary may correct clerical and typographic errors in<sup>1</sup> legal description.

(2) The legal description described in paragraph (1) shall be on file and available for public

inspection in the office of the Director of the Bureau of Land Management, Department of the Interior.

(c) Discrepancies

In case of any discrepancy between or among the map described in subsection (a), the amount of acreage stated in subsection (a), or the legal description filed by the Secretary pursuant to subsection (b), the map described in subsection (a) shall control any question concerning the boundaries of the conservation area.

(Pub. L. 101-621, § 3, Nov. 16, 1990, 104 Stat. 3342; Pub. L. 103-450, § 1, Nov. 2, 1994, 108 Stat. 4766; Pub. L. 105-263, § 8, Oct. 19, 1998, 112 Stat. 2349; Pub. L. 107-282, title I, § 105(c), Nov. 6, 2002, 116 Stat. 1998.)

REFERENCES IN TEXT

The Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002, referred to in subsec. (a)(2), is title I of Pub. L. 107-282, Nov. 6, 2002, 116 Stat. 1995, which amended this section and enacted provisions set out as a note under section 460ccc-4 of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

2002—Subsec. (a)(2). Pub. L. 107-282 inserted before period at end “, and such additional areas as are included in the conservation area pursuant to the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002”.

1998—Subsec. (a)(2). Pub. L. 105-263 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The conservation area shall consist of approximately 195,610 acres as generally depicted on a map entitled ‘Red Rock Canyon National Conservation Area—Proposed Expansion’, numbered NV-RRCNCA-002, and dated July 1994.”

1994—Subsec. (a)(2). Pub. L. 103-450 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The conservation area shall consist of approximately 83,100 acres of generally depicted on a map entitled ‘Red Rock Canyon National Conservation Area—Proposed’ numbered NV-RRC-NCA-001, and dated June, 1990.”

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

POTENTIAL CONSERVATION LANDS

Pub. L. 103-450, § 3, Nov. 2, 1994, 108 Stat. 4767, as amended by Pub. L. 106-113, div. B, § 1000(a)(3) [title I, § 144(a)], Nov. 29, 1999, 113 Stat. 1535, 1501A-171, provided that:

“(a) WITHDRAWAL.—Subject to valid existing rights, the lands identified in subsection (b) are hereby withdrawn from all forms of entry under the public land laws, including the mining laws, and from operation of the mineral [see 30 U.S.C. 181 et seq., 271 et seq., and 281 et seq.] and geothermal leasing laws: *Provided*, That nothing in this subsection shall limit the issuance of any necessary licenses or public land rights-of-way for any hydroelectric project involving such lands.

“(b) LANDS.—The lands referred to in subsection (a) are the approximately 1,280 acres of public lands as generally depicted on the map entitled ‘Potential Conservation Lands: Possible Hydroelectric Project’ dated July, 1994.

“(c) FUTURE STATUS.—(1) Effective on May 2, 2000, the lands described in subsection (b) shall be added to the Red Rock Canyon National Conservation Area unless

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