

before such effective date all necessary licenses and public land rights-of-way have been issued for a hydroelectric project involving some or all of such lands.

“(2) For purposes of section 10(b) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 [16 U.S.C. 460ccc-8(b)], as amended by this Act, the date on which the lands identified in subsection (b) of this section are added to the Red Rock Canyon National Conservation Area shall be deemed to be the date of enactment of an Act adding such lands to the conservation area.”

[Pub. L. 106-113, div. B, §1000(a)(3) [title I, §144(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-171, provided that: “The amendment made by subsection (a) [amending section 3 of Pub. L. 103-450, set out above] takes effect on November 1, 1999.”]

§ 460ccc-2. Management

(a) In general

The Secretary, acting through the Director of the Bureau of Land Management, shall, subject to valid existing rights, manage the conservation area to conserve, protect, and enhance the resources described in section 460ccc-1 of this title, in accordance with this subchapter, the Federal Land Policy and Management Act of 1976 [43 U.S.C. 1701 et seq.], and other applicable laws. The Secretary shall only allow such uses of the conservation area as he finds will further the purposes for which the conservation area is established.

(b) Hunting

(1) Subject to paragraph (2), the Secretary shall permit hunting within the conservation area in accordance with the laws of the State of Nevada.

(2) The Secretary, after consultation with the Nevada Department of Wildlife, may issue regulations designating zones where and establishing when hunting shall not be permitted for reasons of public safety, administration, or public use and enjoyment.

(c) Preventive measures

Nothing in this subchapter shall preclude such measures as the Secretary deems necessary to prevent devastating fire or infestation of insects or disease within the conservation area.

(d) Mechanized vehicles

Except when needed for administrative or emergency purposes, the use of mechanized vehicles in the conservation area shall be allowed only on roads and trails specifically designated for such use as provided in the management plan prepared pursuant to section 460ccc-3 of this title.

(e) Limits on visitation and use

The Secretary may limit visitation and use of the conservation area as the Secretary finds appropriate for the protection of the resources of the conservation area.

(Pub. L. 101-621, §4, Nov. 16, 1990, 104 Stat. 3343.)

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, as amended, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

§ 460ccc-3. Management plan

(a) In general

(1) No later than January 1, 1997, the Secretary shall develop and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives, a general management plan for the conservation area, which shall describe the appropriate uses and development of the conservation area consistent with the purposes of this subchapter.

(2) The management plan described in paragraph (1) shall be developed with full public participation and shall include—

(A) an implementation plan for a continuing program of interpretation and public education about the resources and values of the conservation area;

(B) a proposal for administrative and public facilities to be developed, expanded, or improved for the conservation area including the Red Rock Canyon visitors center, to accommodate visitors to the conservation area;

(C) a cultural resources management plan for the conservation area prepared in consultation with the Nevada State Historic Preservation Officer, with emphasis on the preservation of the resources in the conservation area and the interpretive, educational, and long-term scientific uses of these 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 Act¹ within the conservation area;

(D) a wildlife resource management plan for the conservation area prepared in consultation with appropriate departments of the State of Nevada and using previous studies of the area; and

(E) a recreation management plan, including nonmotorized dispersed recreation opportunities for the conservation area in consultation with appropriate departments of the State of Nevada.

(b) Wilderness study areas

Subject to section 460ccc-5 of this title, nothing in this subchapter is intended to alter the requirements of section 1782 of title 43, or section 5(a) of the National Forest and Public Lands of Nevada Enhancement Act of 1988 (102 Stat. 2751), as those requirements apply to the lands within, or adjacent to the conservation area as of November 16, 1990.

(Pub. L. 101-621, §5, Nov. 16, 1990, 104 Stat. 3343; Pub. L. 103-437, §6(d)(23), Nov. 2, 1994, 108 Stat. 4584; Pub. L. 103-450, §2(a), Nov. 2, 1994, 108 Stat. 4766.)

REFERENCES IN TEXT

The Archaeological Resources Protection Act of 1979, referred to in subsec. (a)(2)(C), is Pub. L. 96-95, Oct. 31, 1979, 93 Stat. 721, 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. (a)(2)(C), is Pub. L. 89-665, Oct. 15, 1966, 80

¹ See References in Text note below.

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.

Section 5(a) of the National Forest and Public Lands of Nevada Enhancement Act of 1988, referred to in subsec. (b), is section 5(a) of Pub. L. 100-550, Oct. 28, 1988, 102 Stat. 2751, which is not classified to the Code.

AMENDMENTS

1994—Subsec. (a)(1). Pub. L. 103-450 substituted “No later than January 1, 1997,” for “Within 3 full fiscal years following the fiscal year in which the date of enactment of this subchapter occurs,”.

Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

§ 460ccc-4. Acquisitions

(a) In general

(1) Within the conservation area, and subject to the provisions of this section, the Secretary is authorized to acquire lands, interests in lands, and associated water rights, by donation, purchase, exchange for Federal lands outside the conservation area, or transfer from another Federal agency with the concurrence of the head of the appropriate agency thereof.

(2) No privately owned lands, interests in lands, or associated water rights, may be acquired without the consent of the owner thereof unless the Secretary determines that, in his judgment, the property is subject to, or threatened with, uses which are having, or would have, an adverse impact on the resource values for which the conservation area was established.

(3) Any lands, waters, or interests therein within the boundaries of the conservation area which after November 16, 1990, may be acquired by the United States shall be incorporated into the conservation area and be managed accordingly, and all provisions of this subchapter and other laws applicable to conservation areas shall apply to such incorporated lands.

(b) Land exchanges

All exchanges pursuant to subsection (a) shall be made in a manner consistent with section 1716 of title 43.

(Pub. L. 101-621, §6, Nov. 16, 1990, 104 Stat. 3344; Pub. L. 110-161, div. F, title I, §120, Dec. 26, 2007, 121 Stat. 2121.)

AMENDMENTS

2007—Subsec. (a). Pub. L. 110-161, which directed the amendment of section 460ccc-4(a) of the Red Rock Canyon National Conservation Area Establishment Act authorization by striking out “with donated or appropriated funds” in par. (1), striking out par. (2), and redesignating pars. (3) and (4) as (2) and (3), respectively, was executed by making the amendments to subsec. (a) of this section, which is section 6 of the Red Rock Canyon National Conservation Area Establishment Act of 1990, to reflect the probable intent of Congress. Prior to amendment, “with donated or appropriated funds” appeared after “purchase” and par. (2) read as follows: “Lands or interests therein owned by the State of Nevada or a political subdivision thereof may be acquired by donation or exchange only.”

ADDITION OF LAND TO RED ROCK CANYON NATIONAL CONSERVATION AREA; MILITARY OVERFLIGHTS

Pub. L. 113-291, div. B, title XXX, §3092(b), (l), Dec. 19, 2014, 128 Stat. 3867, 3879, provided that:

“(b) ADDITION OF LAND TO RED ROCK CANYON NATIONAL CONSERVATION AREA.—

“(1) DEFINITIONS.—In this subsection:

“(A) CONSERVATION AREA.—The term ‘Conservation Area’ means the Red Rock Canyon National Conservation Area established by the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.).

“(B) MAP.—The term ‘Map’ means the map entitled ‘North Las Vegas Valley Overview’ and dated November 5, 2013.

“(C) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the Bureau of Land Management.

“(2) ADDITION OF LAND TO CONSERVATION AREA.—

“(A) IN GENERAL.—The Conservation Area is expanded to include the land depicted on the Map as ‘Additions to Red Rock NCA’.

“(B) MANAGEMENT PLAN.—Not later than 2 years after the date on which the land is acquired, the Secretary shall update the management plan for the Conservation Area to reflect the management requirements of the acquired land.

“(C) MAP AND LEGAL DESCRIPTION.—

“(i) IN GENERAL.—As soon as practicable after the date of enactment of this section [Dec. 19, 2014], the Secretary shall finalize the legal description of the parcel to be conveyed under this subsection.

“(ii) MINOR ERRORS.—The Secretary may correct any minor error in—

“(I) the Map; or

“(II) the legal description.

“(iii) AVAILABILITY.—The Map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

“(l) MILITARY OVERFLIGHTS.—

“(1) FINDINGS.—Congress finds that military aircraft testing and training activities in the State of Nevada—

“(A) are an important part of the national defense system of the United States; and

“(B) are essential in order to secure an enduring and viable national defense system for the current and future generations of people of the United States.

“(2) OVERFLIGHTS.—Nothing in this section [enacting section 460aaaa of this title, amending section 460hhh-6 of this title, and enacting provisions listed in a table of Miscellaneous National Monuments set out under section 320301 of Title 54, National Park Service and Related programs] restricts or precludes any military overflight, including—

“(A) low-level overflights of military aircraft over the Federal land;

“(B) flight testing and evaluation; and

“(C) the designation or creation of new units of special airspace, or the use or establishment of military flight training routes, over—

“(i) the Tule Springs Fossil Beds National Monument established by subsection (a)(2)(A) [enacting provisions listed in a table of Miscellaneous National Monuments set out under section 320301 of Title 54]; or

“(ii) the Red Rock Canyon National Conservation Area established by the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.) (as modified by subsection (b)).”

RED ROCK CANYON NATIONAL CONSERVATION AREA PROTECTION AND ENHANCEMENT

Pub. L. 107-282, title I, Nov. 6, 2002, 116 Stat. 1995, provided that: