

§ 460ggg-2. Recreation area

(a) Designation and purposes

For the purposes of ensuring the protection of certain natural, scenic, fish and wildlife, historic and archaeological, wildland and watershed values, and providing for the enhancement of the recreation opportunities associated with these values, certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately 23,330 acres, as generally depicted on a map entitled “Springer Mountain National Recreation Area—Proposed”, dated October 1991, are hereby designated as a national recreation area and shall be known as Ed Jenkins National Recreation Area (hereafter in this section referred to as the “recreation area”).

(b) Administration

(1) Subject to valid existing rights, the Secretary shall administer the recreation area in accordance with the laws, rules, and regulations applicable to the national forests in such a way as to further the purposes of this section. Except as provided in this section, the Secretary may not conduct timber harvesting in the recreation area. The Secretary may remove timber in the recreation area in furtherance of this section, but only in a manner which does not impair the purposes for which the recreation area is established. Salvage or sanitation harvesting of timber stands which are substantially damaged by fire, windthrow or other catastrophe, or are in imminent danger from insect or disease attack, is authorized to maintain forest health. Timber harvesting is authorized to provide for visitor safety.

(2) Nothing in this section shall prevent the completion of existing timber sales under contract. The Secretary may permit additional road construction in the area in furtherance of the purposes for which the recreation area is established.

(3) By virtue of the designation under this section, the Secretary need not change patterns of public access or closure on existing permanent national forest development roads. At his discretion, however, the Secretary may open or close such existing roads to public use for reasons of sound resource management.

(4) Lands within the recreation area are hereby withdrawn from the operation of all laws pertaining to mineral leasing.

(5) The Secretary may permit, in his discretion, the continued maintenance of existing wildlife openings, in cooperation with the State of Georgia and other Federal, State, and private cooperators, and may permit new wildlife openings in furtherance of the purposes for which the recreation area is established.

(6) The Secretary shall protect, enhance, and promote the public’s opportunities for primitive and semiprimitive recreation in the recreation area.

(7) Designation by this section shall not interfere with rights of access to privately held lands.

(Pub. L. 102-217, § 4, Dec. 11, 1991, 105 Stat. 1668; Pub. L. 102-456, § 2, Oct. 23, 1992, 106 Stat. 2264.)

REFERENCES IN TEXT

The laws pertaining to mineral leasing, referred to in subsec. (b)(4), are classified generally to Title 30, Mineral Lands and Mining.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-456 substituted “Ed Jenkins National Recreation Area” for “Springer Mountain National Recreation Area”.

§ 460ggg-3. Maps and legal descriptions

As soon as practicable after December 11, 1991, the Secretary of Agriculture shall file a map and a legal description of each area designated by this subchapter with the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the Senate. Each such map and description shall have the same force and effect as if included in this subchapter, except that correction of clerical and typographical errors in each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

(Pub. L. 102-217, § 5, Dec. 11, 1991, 105 Stat. 1669; Pub. L. 103-437, § 6(d)(25), Nov. 2, 1994, 108 Stat. 4584.)

AMENDMENTS

1994—Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

SUBCHAPTER CXIX—SPRING MOUNTAINS NATIONAL RECREATION AREA

§ 460hhh. Definitions

As used in this subchapter:

(1) National Forest lands

The term “National Forest lands” means lands included in the National Forest System (as defined in section 1609(a) of this title).

(2) Recreation Area

The term “Recreation Area” means the Spring Mountains National Recreation Area established by this subchapter.

(3) Secretary

The term “Secretary” means the Secretary of Agriculture.

(Pub. L. 103-63, § 2, Aug. 4, 1993, 107 Stat. 297.)

SHORT TITLE

Pub. L. 103-63, § 1, Aug. 4, 1993, 107 Stat. 297, provided that: “This Act [enacting this subchapter] may be cited as the ‘Spring Mountains National Recreation Area Act.’”

§ 460hhh-1. Purposes

The purposes of this subchapter are to—

(1) preserve scenic, scientific, historic, cultural, natural, wilderness, watershed, riparian, wildlife, threatened and endangered species, and other values contributing to public enjoyment and biological diversity in the Spring Mountains of Nevada;

(2) ensure appropriate conservation and management of natural and recreation resources in the Spring Mountains; and

(3) provide for the development of public recreation opportunities in the Spring Mountains for the enjoyment of present and future generations.

(Pub. L. 103-63, §3, Aug. 4, 1993, 107 Stat. 297.)

§ 460hhh-2. Establishment

(a) In general

Subject to valid existing rights, there is established the Spring Mountains National Recreation Area in Nevada.

(b) Boundaries and map

The Recreation Area shall consist of approximately 316,000 acres of federally owned lands and interests therein in the Toiyabe National Forest, as generally depicted on a map entitled "Spring Mountain National Recreation Area—Proposed", numbered NV-CH, and dated August 2, 1992.

(c) Map filing

As soon as practicable after August 4, 1993, the Secretary shall file a map of the Recreation Area with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(d) Public inspection

The map shall be on file and available for public inspection in the offices of the Chief of the Forest Service, Department of Agriculture.

(e) Discrepancies

In the case of any discrepancy between or among the acreage referred to in subsection (b) and the map described in subsection (b), the map described in subsection (b) shall control any question concerning the boundaries of the Recreation Area.

(Pub. L. 103-63, §4, Aug. 4, 1993, 107 Stat. 297.)

§ 460hhh-3. Management

(a) In general

The Secretary, acting through the Chief of the Forest Service, shall manage the Recreation Area in accordance with the laws, rules, and regulations pertaining to the National Forest System and this subchapter to provide for—

- (1) the conservation of scenic, scientific, historic, cultural, and other values contributing to public enjoyment;
- (2) the conservation of fish and wildlife populations and habitat, including the use of prescribed fire to improve or maintain habitat;
- (3) the protection of watersheds and the maintenance of free flowing streams and the quality of ground and surface waters in accordance with applicable law;
- (4) public outdoor recreation benefits, including, but not limited to, hunting, fishing, trapping, hiking, horseback riding, backpacking, rock climbing, camping, and nature study;
- (5) wilderness areas as designated by Congress; and
- (6) the management and use of natural resources in a manner compatible with the purposes for which the Recreation Area is established.

(b) Hunting, trapping, and fishing

(1) In general

Subject to paragraph (2), the Secretary shall permit hunting, trapping, fishing, and habitat management within the Recreation Area in accordance with the laws of the United States and the State of Nevada.

(2) Exceptions

The Secretary, in consultation with the Nevada Department of Wildlife, may designate zones where and periods when hunting, trapping, or fishing shall not be permitted for reasons of public safety, administration, or public use and enjoyment.

(c) Grazing

The grazing of livestock on Federal lands may be permitted to continue pursuant to Federal law and subject to such reasonable regulations, policies, and practices as the Secretary considers necessary.

(d) Preventive measures

Nothing in this subchapter shall preclude such reasonable measures as the Secretary considers necessary to protect the land and resources from fire or insect or disease infestation in the Recreation Area.

(Pub. L. 103-63, §5, Aug. 4, 1993, 107 Stat. 298.)

§ 460hhh-4. Management plan

(a) In general

(1) Procedures

Not later than 3 full fiscal years after August 4, 1993, the Secretary shall develop a general management plan for the Recreation Area as an amendment to the Toiyabe National Forest Land and Resource Management Plan. Such an amendment shall reflect the establishment of the Recreation Area and be consistent with the provisions of this subchapter, except that nothing in this subchapter shall require the Secretary to revise the Toiyabe National Forest Land and Resource Management Plan pursuant to section 1604 of this title. The provisions of the national forest land and resource management plan relating to the recreation¹ area¹ shall also be available to the public in a document separate from the rest of the forest plan.

(2) Contents

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

- (A) implementation plans for a continuing program of interpretation and public education about the resources and values of the Recreation Area;
- (B) proposals for public facilities to be developed, expanded, or improved for the Recreation Area, including one or more visitor centers to accommodate both local and out-of-State visitors;
- (C) plans for the management of natural and cultural resources in the Recreation Area, with emphasis on the preservation and

¹ So in original. Probably should be capitalized.