

long-term scientific use of archaeological resources, with priority in development given to the enforcement of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act<sup>2</sup> within the Recreation Area;

(D) wildlife and fish resource management plans for the Recreation Area prepared in consultation with appropriate departments of the State of Nevada and using other available studies of the Recreation Area;

(E) recreation management plans for the Recreation Area in consultation with appropriate departments of the State of Nevada;

(F) wild horse and burro herd management plans for the Recreation Area prepared in consultation with appropriate departments and commissions of the State of Nevada; and

(G) an inventory of all lands within the Recreation Area not presently managed as National Forest lands that will permit the Secretary to evaluate possible future acquisitions.

### (3) Consultation

The plans for the management of natural and cultural resources described in paragraph (2)(C) shall be prepared in consultation with the Advisory Council on Historic Preservation established by chapter 3041 of title 54 and the Nevada State Department of Conservation and Natural Resources, Division of Historic Preservation and Archaeology.

## (b) Wilderness study areas

### (1) Recommendations

The general management plan for the Recreation Area shall include the recommendations of the Bureau of Land Management as to the suitability or nonsuitability for preservation as wilderness those lands within the Recreation Area identified as the Mt. Stirling, La Madre Mountains, and Pine Creek Wilderness Study Areas on the Bureau of Land Management Wilderness Status Map, dated March 1990.

### (2) Management

Pending submission of a recommendation and until otherwise directed by Act of Congress, the Secretary, acting through the Chief of the Forest Service, shall manage the lands and waters within the wilderness study areas referred to in paragraph (1) so as to maintain their potential for inclusion within the National Wilderness Preservation System.

(Pub. L. 103-63, § 6, Aug. 4, 1993, 107 Stat. 298.)

#### 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, 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. (a)(2)(C), 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, ex-

<sup>2</sup> See References in Text note below.

cept 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.

#### CODIFICATION

In subsec. (a)(3), “chapter 3041 of title 54” substituted for “title II of the National Historic Preservation Act (16 U.S.C. 470i et seq.)” on authority of Pub. L. 113-287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

## § 460hhh-5. Acquisition of lands

### (a) In general

The Secretary is authorized to acquire lands and interests therein within the boundaries of the Recreation Area by donation, purchase with donated or appropriated funds, exchange, or transfer from another Federal agency, except that such lands or interests owned by the State of Nevada or a political subdivision thereof may be acquired only by donation or exchange.

### (b) Incorporation of acquired lands

Any lands, waters, or interests in lands or interests therein located within the Recreation Area that are acquired by the United States or administratively transferred to the Secretary after August 4, 1993, shall be incorporated into the Recreation Area and managed in accordance with the laws, rules, and regulations applicable to the National Forest System and the provisions of this subchapter.

### (c) Land and Water Conservation Fund

For purposes of section 100506 of title 54, where such boundaries are established for units of the National Forest System, such established boundaries shall be treated as if they were the boundaries of the National Forests as of January 1, 1965. Money appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands and interests therein in furtherance of the purposes of this subchapter.

(Pub. L. 103-63, §7, Aug. 4, 1993, 107 Stat. 300; Pub. L. 113-287, §5(d)(3), Dec. 19, 2014, 128 Stat. 3264.)

#### AMENDMENTS

2014—Subsec. (c). Pub. L. 113-287, which directed substitution of “section 100506 of title 54” for “section 4607-9 of this title” in section 7 of the Springs Mountain National Recreation Area Act, was executed to this section, which is section 7 of the Spring Mountains National Recreation Area Act, to reflect the probable intent of Congress.

## § 460hhh-6. Withdrawal

### (a) In general

Subject to valid existing rights and except as provided in subsection (b), all Federal lands within the Recreation Area are withdrawn from—

(1) all forms of entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation under the mineral leasing and geothermal leasing laws.

**(b) Exceptions****(1) In general**

Notwithstanding subsection (a), W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$  sec. 27, T. 23 S., R. 58 E., Mt. Diablo Meridian is not subject to withdrawal under that subsection.

**(2) Effect of entry under public land laws**

Notwithstanding paragraph (1) of subsection (a), the following are not subject to withdrawal under that paragraph:

(A) Any Federal land in the Recreation Area that qualifies for conveyance under Public Law 97-465 (commonly known as the "Small Tracts Act") (16 U.S.C. 521c et seq.), which, notwithstanding section 7 of that Act (16 U.S.C. 521i), may be conveyed under that Act.

(B) Any Federal land in the Recreation Area that the Secretary determines to be appropriate for conveyance by exchange for non-Federal land within the Recreation Area under authorities generally providing for the exchange of National Forest System land.

(Pub. L. 103-63, §8, Aug. 4, 1993, 107 Stat. 300; Pub. L. 113-291, div. B, title XXX, §3092(f), Dec. 19, 2014, 128 Stat. 3872.)

## REFERENCES IN TEXT

Public Law 97-465 (commonly known as the "Small Tracts Act"), referred to in subsec. (b)(2)(A), is Pub. L. 97-465, Jan. 12, 1983, 96 Stat. 2535, which enacted sections 521c to 521i of this title and amended section 484a of this title. For complete classification of this Act to the Code, see Tables.

## AMENDMENTS

2014—Subsec. (a). Pub. L. 113-291, §3092(f)(1), substituted "as provided" for "for lands described" in introductory provisions.

Subsec. (b). Pub. L. 113-291, §3092(f)(2), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: "The lands referred to in subsection (a) of this section are described as follows:

"W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ , Sec. 27, T23S, R58E, Mt. Diablo Meridian."

**§ 460hhh-7. Cooperative agreements**

In order to encourage unified and cost-effective management and interpretation of natural and cultural resources in southern Nevada, the Secretary may enter into cooperative agreements with other Federal, State, and local agencies, and with nonprofit entities, that provide for the management and interpretation of natural and cultural resources.

(Pub. L. 103-63, §9, Aug. 4, 1993, 107 Stat. 300.)

**§ 460hhh-8. Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out this subchapter.

(Pub. L. 103-63, §10, Aug. 4, 1993, 107 Stat. 301.)

SUBCHAPTER CXX—MORLEY NELSON  
SNAKE RIVER BIRDS OF PREY NATIONAL  
CONSERVATION AREA**§ 460iii. Findings**

The Congress finds the following:

(1) The public lands managed by the Bureau of Land Management in the State of Idaho within the Snake River Birds of Prey Area contain one of the densest known nesting populations of eagles, falcons, owls, hawks, and other birds of prey (raptors) in North America.

(2) These public lands constitute a valuable national biological and educational resource since birds of prey are important components of the ecosystem and indicators of environmental quality, and contribute significantly to the quality of wildlife and human communities.

(3) These public lands also contain important historic and cultural resources (including significant archaeological resources) as well as other resources and values, all of which should be protected and appropriately managed.

(4) A military training area within the Snake River Birds of Prey Area, known as the Orchard Training Area, has been used since 1953 by reserve components of the Armed Forces. Military use of this area is currently governed by a Memorandum of Understanding between the Bureau of Land Management and the State of Idaho Military Division, dated May 1985. Operating under this Memorandum of Understanding, the Idaho National Guard has provided valuable assistance to the Bureau of Land Management with respect to fire control and other aspects of management of the Orchard Training Area and the other lands in the Snake River Birds of Prey Area. Military use of the lands within the Orchard Training Area should continue in accordance with such Memorandum of Understanding (or extension or renewal thereof), to the extent consistent with section 460iii-3(e) of this title, because this would be in the best interest of training of the reserve components (an important aspect of national security) and of the local economy.

(5) Protection of the conservation area as a home for raptors can best and should be accomplished by the Secretary of the Interior, acting through the Bureau of Land Management, under a management plan that—

(A) emphasizes management, protection, and rehabilitation of habitat for these raptors and of other resources and values of the area;

(B) provides for continued military use, consistent with the requirements of section 460iii-3(e) of this title, of the Orchard Training Area by reserve components of the Armed Forces;

(C) addresses the need for public educational and interpretive opportunities;

(D) allows for diverse appropriate uses of lands in the area to the extent consistent with the maintenance and enhancement of raptor populations and habitats and protection and sound management of other resources and values of the area; and

(E) demonstrates management practices and techniques that may be useful to other areas of the public lands and elsewhere.

(6) There exists near the conservation area a facility, the World Center for Birds of Prey operated by The Peregrine Fund, Inc., where research, public education, recovery, and reestablishment operations exist for endangered