

## “SECRETARY” DEFINED

Section 103 of Pub. L. 103-433 provided in part that in this subchapter “Secretary” means the Secretary of the Interior.

SUBCHAPTER CXLIII—ALABAMA HILLS  
NATIONAL SCENIC AREA

## § 460ffff. Definitions

In this subchapter:

**(1) Management plan**

The term “management plan” means the management plan for the Scenic Area developed under section 460ffff-2(a) of this title.

**(2) Map**

The term “Map” means the map entitled “Proposed Alabama Hills National Scenic Area” and dated November 7, 2018.

**(3) Motorized vehicle**

The term “motorized vehicle” means a motorized or mechanized vehicle and includes, when used by a utility, mechanized equipment, a helicopter, and any other aerial device necessary to maintain electrical or communications infrastructure.

**(4) Scenic area**

The term “Scenic Area” means the Alabama Hills National Scenic Area established by section 460ffff-1(a) of this title.

**(5) State**

The term “State” means the State of California.

**(6) Tribe**

The term “Tribe” means the Lone Pine Paiute-Shoshone Tribe.

(Pub. L. 103-433, title XIV, §1401, as added Pub. L. 116-9, title I, §1441, Mar. 12, 2019, 133 Stat. 706.)

§ 460ffff-1. Alabama Hills National Scenic Area,  
California**(a) Establishment**

Subject to valid existing rights, there is established in Inyo County, California, the Alabama Hills National Scenic Area, to be comprised of the approximately 18,610 acres generally depicted on the Map as “National Scenic Area”.

**(b) Purpose**

The purpose of the Scenic Area is to conserve, protect, and enhance for the benefit, use, and enjoyment of present and future generations the nationally significant scenic, cultural, geological, educational, biological, historical, recreational, cinematographic, and scientific resources of the Scenic Area managed consistent with section 302(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(a)).

**(c) Map; legal descriptions****(1) In general**

As soon as practicable after March 12, 2019, the Secretary shall file a map and a legal description of the Scenic Area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

**(2) Force of law**

The map and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this subchapter, except that the Secretary may correct any clerical and typographical errors in the map and legal descriptions.

**(3) Public availability**

Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

**(d) Administration**

The Secretary shall manage the Scenic Area—

(1) as a component of the National Landscape Conservation System;

(2) so as not to impact the future continuing operation and maintenance of any activities associated with valid, existing rights, including water rights;

(3) in a manner that conserves, protects, and enhances the resources and values of the Scenic Area described in subsection (b); and

(4) in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this subchapter; and

(C) any other applicable laws.

**(e) Management****(1) In general**

The Secretary shall allow only such uses of the Scenic Area as the Secretary determines would further the purposes of the Scenic Area as described in subsection (b).

**(2) Recreational activities**

Except as otherwise provided in this subchapter or other applicable law, or as the Secretary determines to be necessary for public health and safety, the Secretary shall allow existing recreational uses of the Scenic Area to continue, including hiking, mountain biking, rock climbing, sightseeing, horseback riding, hunting, fishing, and appropriate authorized motorized vehicle use in accordance with paragraph (3).

**(3) Motorized vehicles**

Except as otherwise specified in this subchapter, or as necessary for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Scenic Area shall be permitted only on—

(A) roads and trails designated by the Secretary for use of motorized vehicles as part of a management plan sustaining a semi-primitive motorized experience; or

(B) county-maintained roads in accordance with applicable State and county laws.

**(f) No buffer zones****(1) In general**

Nothing in this subchapter creates a protective perimeter or buffer zone around the Scenic Area.

**(2) Activities outside Scenic Area**

The fact that an activity or use on land outside the Scenic Area can be seen or heard

within the Scenic Area shall not preclude the activity or use outside the boundaries of the Scenic Area.

**(g) Access**

The Secretary shall provide private landowners adequate access to inholdings in the Scenic Area.

**(h) Filming**

Nothing in this subchapter prohibits filming (including commercial film production, student filming, and still photography) within the Scenic Area—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and

(B) applicable law; and

(2) in a manner consistent with the purposes described in subsection (b).

**(i) Fish and wildlife**

Nothing in this subchapter affects the jurisdiction or responsibilities of the State with respect to fish and wildlife.

**(j) Livestock**

The grazing of livestock in the Scenic Area, including grazing under the Alabama Hills allotment and the George Creek allotment, as established before March 12, 2019, shall be permitted to continue—

(1) subject to—

(A) such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and

(B) applicable law; and

(2) in a manner consistent with the purposes described in subsection (b).

**(k) Withdrawal**

Subject to the provisions of this subchapter and valid rights in existence on March 12, 2019, including rights established by prior withdrawals, the Federal land within the Scenic Area is withdrawn from all forms of—

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

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

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

**(l) Wildland fire operations**

Nothing in this subchapter prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the Scenic Area, consistent with the purposes described in subsection (b).

**(m) Cooperative agreements**

The Secretary may enter into cooperative agreements with, State, Tribal, and local governmental entities and private entities to conduct research, interpretation, or public education or to carry out any other initiative relating to the restoration, conservation, or management of the Scenic Area.

**(n) Utility facilities and rights-of-way**

**(1) Effect of subchapter**

Nothing in this subchapter—

(A) affects the existence, use, operation, maintenance (including vegetation control), repair, construction, reconfiguration, expansion, inspection, renewal, reconstruction, alteration, addition, relocation, improvement, funding, removal, or replacement of any utility facility or appurtenant right-of-way within or adjacent to the Scenic Area;

(B) subject to subsection (e), affects necessary or efficient access to utility facilities or rights-of-way within or adjacent to the Scenic Area; and

(C) precludes the Secretary from authorizing the establishment of new utility facility rights-of-way (including instream sites, routes, and areas) within the Scenic Area in a manner that minimizes harm to the purpose of the Scenic Area as described in subsection (b)—

(i) in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable law;

(ii) subject to such terms and conditions as the Secretary determines to be appropriate; and

(iii) that are determined by the Secretary to be the only technical or feasible location, following consideration of alternatives within existing rights-of-way or outside of the Scenic Area.

**(2) Management plan**

Consistent with this subchapter, the Management Plan shall establish provisions for maintenance of public utility and other rights-of-way within the Scenic Area.

(Pub. L. 103-433, title XIV, §1402, as added Pub. L. 116-9, title I, §1441, Mar. 12, 2019, 133 Stat. 706.)

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (d)(4)(A), is Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, 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.

The National Environmental Policy Act of 1969, referred to in subsec. (n)(1)(C)(i), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

DEFINITIONS

For definition of “Secretary” as used in this section, see section 3 of Pub. L. 103-433, set out as a note under section 410aaa of this title.

**§ 460ffff-2. Management plan**

**(a) In general**

Not later than 3 years after March 12, 2019, in accordance with subsections (b) and (c), the Secretary shall develop a comprehensive plan for the long-term management of the Scenic Area.

**(b) Consultation**

In developing the management plan, the Secretary shall consult with—

(1) appropriate State, Tribal, and local governmental entities, including Inyo County and the Tribe;