

(c) Limitation on use of funds for S.S. RED OAK VICTORY

None of the funds authorized to be appropriated by this section may be used for the operation, maintenance, or preservation of the vessel S.S. RED OAK VICTORY.

(Pub. L. 106-352, §5, Oct. 24, 2000, 114 Stat. 1372.)

SUBCHAPTER LIX—FF—GREAT SAND DUNES NATIONAL PARK AND PRESERVE**§ 410hhh. Findings**

Congress finds that—

(1) the Great Sand Dunes National Monument in the State of Colorado was established by Presidential proclamation in 1932 to preserve Federal land containing spectacular and unique sand dunes and additional features of scenic, scientific, and educational interest for the benefit and enjoyment of future generations;

(2) the Great Sand Dunes, together with the associated sand sheet and adjacent wetland and upland, contain a variety of rare ecological, geological, paleontological, archaeological, scenic, historical, and wildlife components, which—

(A) include the unique pulse flow characteristics of Sand Creek and Medano Creek that are integral to the existence of the dunes system;

(B) interact to sustain the unique Great Sand Dunes system beyond the boundaries of the existing National Monument;

(C) are enhanced by the serenity and rural western setting of the area; and

(D) comprise a setting of irreplaceable national significance;

(3) the Great Sand Dunes and adjacent land within the Great Sand Dunes National Monument—

(A) provide extensive opportunities for educational activities, ecological research, and recreational activities; and

(B) are publicly used for hiking, camping, and fishing, and for wilderness value (including solitude);

(4) other public and private land adjacent to the Great Sand Dunes National Monument—

(A) offers additional unique geological, hydrological, paleontological, scenic, scientific, educational, wildlife, and recreational resources; and

(B) contributes to the protection of—

(i) the sand sheet associated with the dune mass;

(ii) the surface and ground water systems that are necessary to the preservation of the dunes and the adjacent wetland; and

(iii) the wildlife, viewshed, and scenic qualities of the Great Sand Dunes National Monument;

(5) some of the private land described in paragraph (4) contains important portions of the sand dune mass, the associated sand sheet, and unique alpine environments, which would be threatened by future development pressures;

(6) the designation of a Great Sand Dunes National Park, which would encompass the existing Great Sand Dunes National Monument and additional land, would provide—

(A) greater long-term protection of the geological, hydrological, paleontological, scenic, scientific, educational, wildlife, and recreational resources of the area (including the sand sheet associated with the dune mass and the ground water system on which the sand dune and wetland systems depend); and

(B) expanded visitor use opportunities;

(7) land in and adjacent to the Great Sand Dunes National Monument is—

(A) recognized for the culturally diverse nature of the historical settlement of the area;

(B) recognized for offering natural, ecological, wildlife, cultural, scenic, paleontological, wilderness, and recreational resources; and

(C) recognized as being a fragile and irreplaceable ecological system that could be destroyed if not carefully protected; and

(8) preservation of this diversity of resources would ensure the perpetuation of the entire ecosystem for the enjoyment of future generations.

(Pub. L. 106-530, §2, Nov. 22, 2000, 114 Stat. 2527.)

SHORT TITLE

Pub. L. 106-530, §1, Nov. 22, 2000, 114 Stat. 2527, provided that: "This Act [enacting this subchapter and provisions listed in a table of National Wildlife Refuges set out under section 668dd of this title] may be cited as the 'Great Sand Dunes National Park and Preserve Act of 2000'."

§ 410hhh-1. Definitions

In this subchapter:

(1) Advisory Council

The term "Advisory Council" means the Great Sand Dunes National Park Advisory Council established under section 410hhh-6(a)¹ of this title.

(2) Luis Maria Baca Grant No. 4

The term "Luis Maria Baca Grant No. 4" means those lands as described in the patent dated February 20, 1900, from the United States to the heirs of Luis Maria Baca recorded in book 86, page 20, of the records of the Clerk and Recorder of Saguache County, Colorado.

(3) Map

The term "map" means the map entitled "Great Sand Dunes National Park and Preserve", numbered 140/80,032 and dated September 19, 2000.

(4) National monument

The term "national monument" means the Great Sand Dunes National Monument, including lands added to the monument pursuant to this subchapter.

¹ So in original. Probably should be section "410hhh-8(a)".

(5) National park

The term “national park” means the Great Sand Dunes National Park established in section 410hhh-2 of this title.

(6) National wildlife refuge

The term “wildlife refuge” means the Baca National Wildlife Refuge established in section 410hhh-4 of this title.

(7) Preserve

The term “preserve” means the Great Sand Dunes National Preserve established in section 410hhh-3 of this title.

(8) Resources

The term “resources” means the resources described in section 410hhh of this title.

(9) Secretary

The term “Secretary” means the Secretary of the Interior.

(10) Uses

The term “uses” means the uses described in section 410hhh of this title.

(Pub. L. 106-530, §3, Nov. 22, 2000, 114 Stat. 2528.)

§410hhh-2. Great Sand Dunes National Park, Colorado**(a) Establishment**

When the Secretary determines that sufficient land having a sufficient diversity of resources has been acquired to warrant designation of the land as a national park, the Secretary shall establish the Great Sand Dunes National Park in the State of Colorado, as generally depicted on the map, as a unit of the National Park System. Such establishment shall be effective upon publication of a notice of the Secretary’s determination in the Federal Register.

(b) Availability of map

The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) Notification

Until the date on which the national park is established, the Secretary shall annually notify the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives of—

(1) the estimate of the Secretary of the lands necessary to achieve a sufficient diversity of resources to warrant designation of the national park; and

(2) the progress of the Secretary in acquiring the necessary lands.

(d) Abolishment of National Monument

(1) On the date of establishment of the national park pursuant to subsection (a), the Great Sand Dunes National Monument shall be abolished, and any funds made available for the purposes of the national monument shall be available for the purposes of the national park.

(2) Any reference in any law (other than this subchapter), regulation, document, record, map, or other paper of the United States to “Great Sand Dunes National Monument” shall be considered a reference to “Great Sand Dunes National Park”.

(e) Transfer of jurisdiction

Administrative jurisdiction is transferred to the National Park Service over any land under the jurisdiction of the Department of the Interior that—

(1) is depicted on the map as being within the boundaries of the national park or the preserve; and

(2) is not under the administrative jurisdiction of the National Park Service on November 22, 2000.

(Pub. L. 106-530, §4, Nov. 22, 2000, 114 Stat. 2529.)

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

DESIGNATION OF PARK

On Sept. 13, 2004, the Secretary of the Interior made the determination under subsec. (a) of this section and designated the existing Great Sand Dunes National Monument as the Great Sand Dunes National Park. See 69 F.R. 57355.

§410hhh-3. Great Sand Dunes National Preserve, Colorado**(a) Establishment of Great Sand Dunes National Preserve**

(1) There is hereby established the Great Sand Dunes National Preserve in the State of Colorado, as generally depicted on the map, as a unit of the National Park System.

(2) Administrative jurisdiction of lands and interests therein administered by the Secretary of Agriculture within the boundaries of the preserve is transferred to the Secretary of the Interior, to be administered as part of the preserve. The Secretary of Agriculture shall modify the boundaries of the Rio Grande National Forest to exclude the transferred lands from the forest boundaries.

(3) Any lands within the preserve boundaries which were designated as wilderness prior to November 22, 2000, shall remain subject to the Wilderness Act (16 U.S.C. 1131 et seq.) and the Colorado Wilderness Act of 1993 (Public Law 103-767; 16 U.S.C. 539i note).

(b) Map and legal description

(1) As soon as practicable after the establishment of the national park and the preserve, the Secretary shall file maps and a legal description of the national park and the preserve with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(2) The map and legal description shall have the same force and effect as if included in this subchapter, except that the Secretary may correct clerical and typographical errors in the legal description and maps.

(3) The map and legal description shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) Boundary survey

As soon as practicable after the establishment of the national park and preserve and subject to the availability of funds, the Secretary shall complete an official boundary survey.