

**(c) National Forest water rights**

To the extent that a water right is established or acquired by the United States for the Rio Grande National Forest, the water right shall—

- (1) be considered to be of equal use and value for the national preserve; and
- (2) retain its priority and purpose when included in the national preserve.

**(d) National Monument water rights**

To the extent that a water right has been established or acquired by the United States for the Great Sand Dunes National Monument, the water right shall—

- (1) be considered to be of equal use and value for the national park; and
- (2) retain its priority and purpose when included in the national park.

**(e) Acquired water rights and water resources****(1) In general**

(A) If, and to the extent that, the Luis Maria Baca Grant No. 4 is acquired, all water rights and water resources associated with the Luis Maria Baca Grant No. 4 shall be restricted for use only within—

- (i) the national park;
- (ii) the preserve;
- (iii) the national wildlife refuge; or
- (iv) the immediately surrounding areas of Alamosa or Saguache Counties, Colorado.

(B) USE.—Except as provided in the memorandum of water service agreement and the water service agreement between the Cabeza de Vaca Land and Cattle Company, LLC, and Baca Grande Water and Sanitation District, dated August 28, 1997, water rights and water resources described in subparagraph (A) shall be restricted for use in—

- (i) the protection of resources and values for the national monument, the national park, the preserve, or the wildlife refuge;
- (ii) fish and wildlife management and protection; or
- (iii) irrigation necessary to protect water resources.

**(2) State authority**

If, and to the extent that, water rights associated with the Luis Maria Baca Grant No. 4 are acquired, the use of those water rights shall be changed only in accordance with the laws of the State of Colorado.

**(f) Disposal**

The Secretary is authorized to sell the water resources and related appurtenances and fixtures as the Secretary deems necessary to obtain the termination of obligations specified in the memorandum of water service agreement and the water service agreement between the Cabeza de Vaca Land and Cattle Company, LLC and the Baca Grande Water and Sanitation District, dated August 28, 1997. Prior to the sale, the Secretary shall determine that the sale is not detrimental to the protection of the resources of Great Sand Dunes National Monument, Great Sand Dunes National Park, and Great Sand Dunes National Preserve, and the Baca National Wildlife Refuge, and that appropriate measures to provide for such protection are included in the sale.

(Pub. L. 106-530, §9, Nov. 22, 2000, 114 Stat. 2533.)

## CODIFICATION

Section is comprised of section 9 of Pub. L. 106-530. Subsec. (a) of section 9 of Pub. L. 106-530 amended section 1501(a) of Pub. L. 102-575, 106 Stat. 4663, which is not classified to the Code.

**§ 410hhh-8. Advisory Council****(a) Establishment**

The Secretary shall establish an advisory council to be known as the “Great Sand Dunes National Park Advisory Council”.

**(b) Duties**

The Advisory Council shall advise the Secretary with respect to the preparation and implementation of a management plan for the national park and the preserve.

**(c) Members**

The Advisory Council shall consist of 10 members, to be appointed by the Secretary, as follows:

- (1) One member of, or nominated by, the Alamosa County Commission.
- (2) One member of, or nominated by, the Saguache County Commission.
- (3) One member of, or nominated by, the Friends of the Dunes Organization.
- (4) Four members residing in, or within reasonable proximity to, the San Luis Valley and 3 of the general public, all of whom have recognized backgrounds reflecting—

(A) the purposes for which the national park and the preserve are established; and

(B) the interests of persons that will be affected by the planning and management of the national park and the preserve.

**(d) Applicable law**

The Advisory Council shall function in accordance with the Federal Advisory Committee Act (5 U.S.C. App.) and other applicable laws.

**(e) Vacancy**

A vacancy on the Advisory Council shall be filled in the same manner as the original appointment.

**(f) Chairperson**

The Advisory Council shall elect a chairperson and shall establish such rules and procedures as it deems necessary or desirable.

**(g) No compensation**

Members of the Advisory Council shall serve without compensation.

**(h) Termination**

The Advisory Council shall terminate upon the completion of the management plan for the national park and preserve.

(Pub. L. 106-530, §10, Nov. 22, 2000, 114 Stat. 2535.)

## REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (d), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

**§ 410hhh-9. Authorization of appropriations**

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