

“(b) CONSIDERATION.—As consideration for the property to be conveyed by the Secretary under subsection (a), Mr. and Mrs. Henry Sandoz of Mountain Pass, California, have agreed to convey to the Secretary a parcel of real property consisting of approximately five acres, identified as parcel APN 569-051-44, and located in the west ½ of the northeast ¼ of the northwest ¼ of the northwest ¼ of section 11, township 14 north, range 15 east, San Bernardino base and meridian.

“(c) EQUAL VALUE EXCHANGE; APPRAISAL.—The values of the properties to be exchanged under this section shall be equal or equalized as provided in subsection (d). The value of the properties shall be determined through an appraisal performed by a qualified appraiser in conformance with the Uniform Appraisal Standards for Federal Land Acquisitions (Department of Justice, December 2000).

“(d) CASH EQUALIZATION.—Any difference in the value of the properties to be exchanged under this section shall be equalized through the making of a cash equalization payment. The Secretary shall deposit any cash equalization payment received by the Secretary under this subsection in the Land and Water Conservation Fund.

“(e) REVERSIONARY CLAUSE.—The conveyance under subsection (a) shall be subject to the condition that the recipient maintain the conveyed property as a memorial commemorating United States participation in World War I and honoring the American veterans of that war. If the Secretary determines that the conveyed property is no longer being maintained as a war memorial, the property shall revert to the ownership of the United States.

“(f) BOUNDARY ADJUSTMENT; ADMINISTRATION OF ACQUIRED LAND.—The boundaries of the Mojave National Preserve shall be adjusted to reflect the land exchange required by this section. The property acquired by the Secretary under this section shall become part of the Mojave National Preserve and be administered in accordance with the laws, rules, and regulations generally applicable to the Mojave National Preserve.”

§ 410aaa-57. Acquired lands to be made part of Mojave National Preserve

Any lands acquired by the Secretary under this part shall become part of the Mojave National Preserve.

(Pub. L. 103-433, title V, §517, Oct. 31, 1994, 108 Stat. 4495.)

§ 410aaa-58. Mojave National Preserve Advisory Commission

(a) Establishment

The Secretary shall establish an Advisory Commission of no more than fifteen members, to advise the Secretary concerning the development and implementation of a new or revised comprehensive management plan for the Mojave National Preserve.

(b) Membership

(1) The advisory commission shall include an elected official for each County within which any part of the preserve is located, a representative of the owners of private properties located within or immediately adjacent to the preserve, and other members representing persons actively engaged in grazing and range management, mineral exploration and development, and persons with expertise in relevant fields, including geology, biology, ecology, law enforcement, and the protection and management of National Park resources and values.

(2) Vacancies in the advisory commission shall be filled by the Secretary so as to maintain the

full diversity of views required to be represented on the advisory commission.

(c) Applicability of Federal Advisory Committee Act

The Federal Advisory Committee Act shall apply to the procedures and activities of the advisory commission.

(d) Termination

The advisory commission shall cease to exist ten years after the date of its establishment.

(Pub. L. 103-433, title V, §518, Oct. 31, 1994, 108 Stat. 4495.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (c), 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.

§ 410aaa-59. No adverse effect on land until acquired

Unless and until acquired by the United States, no lands within the boundaries of wilderness areas or National Park System units designated or enlarged by this Act that are owned by any person or entity other than the United States shall be subject to any of the rules or regulations applicable solely to the Federal lands within such boundaries and may be used to the extent allowed by applicable law. Neither the location of such lands within such boundaries nor the possible acquisition of such lands by the United States shall constitute a bar to the otherwise lawful issuance of any Federal license or permit other than a license or permit related to activities governed by section 100903 of title 54. Nothing in this section shall be construed as affecting the applicability of any provision of section 1865(b) of title 18, subchapter III of chapter 1007 of title 54, the Clean Air Act (42 U.S.C. 7401 et seq.), or regulations applicable to oil and gas development as set forth in 36 CFR 9B.

(Pub. L. 103-433, title V, §519, Oct. 31, 1994, 108 Stat. 4495.)

REFERENCES IN TEXT

This Act, referred to in text, is defined in section 3 of Pub. L. 103-433, which is set out as a Definitions note under section 410aaa of this title.

The Clean Air Act, referred to in text, is act July 14, 1955, ch. 360, 69 Stat. 322, as amended, which is classified generally to chapter 85 (§7401 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 7401 of Title 42 and Tables.

CODIFICATION

In text, “section 100903 of title 54” substituted for “16 U.S.C. 4601-22(c)” and “section 1865(b) of title 18, subchapter III of chapter 1007 of title 54” substituted for “the Mining in the Parks Act (16 U.S.C. 1901 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.

PART D—MISCELLANEOUS PROVISIONS

§ 410aaa-71. Transfer of lands to Red Rock Canyon State Park

On October 31, 1994, the Secretary shall transfer to the State of California certain lands with-

in the California Desert Conservation Area, California, of the Bureau of Land Management, comprising approximately twenty thousand five hundred acres, as generally depicted on two maps entitled “Red Rock Canyon State Park Additions 1” and “Red Rock Canyon State Park Additions 2”, dated May 1991, for inclusion in the State of California Park System. Should the State of California cease to manage these lands as part of the State Park System, ownership of the lands shall revert to the Department of the Interior to be managed as part of California Desert Conservation Area to provide maximum protection for the area’s scenic and scientific values.

(Pub. L. 103-433, title VII, §701, Oct. 31, 1994, 108 Stat. 4497.)

§ 410aaa-72. Land tenure adjustments

In preparing land tenure adjustment decisions with the California Desert Conservation Area, of the Bureau of Land Management, the Secretary shall give priority to consolidating Federal ownership within the national park units and wilderness areas designated by this Act.

(Pub. L. 103-433, title VII, §702, Oct. 31, 1994, 108 Stat. 4497.)

REFERENCES IN TEXT

This Act, referred to in text, is defined in section 3 of Pub. L. 103-433, which is set out as a Definitions note under section 410aaa of this title.

§ 410aaa-73. Land disposal

Except as provided in section 410aaa-26 of this title, none of the lands within the boundaries of the wilderness or park areas designated under this Act shall be granted to or otherwise made available for use by the Metropolitan Water District or any other agencies or persons pursuant to the Boulder Canyon Project Act (43 U.S.C. 617-619b) or any similar Acts.

(Pub. L. 103-433, title VII, §703, Oct. 31, 1994, 108 Stat. 4497.)

REFERENCES IN TEXT

This Act, referred to in text, is defined in section 3 of Pub. L. 103-433, which is set out as a Definitions note under section 410aaa of this title.

The Boulder Canyon Project Act, referred to in text, is act Dec. 21, 1928, ch. 42, 45 Stat. 1057, as amended, which is classified generally to subchapter I (§617 et seq.) of chapter 12A of Title 43, Public Lands. For complete classification of this Act to the Code, see section 617t of Title 43 and Tables.

§ 410aaa-74. Management of newly acquired lands

Any lands within the boundaries of a wilderness area designated under this Act which are acquired by the Federal Government, shall become part of the wilderness area within which they are located and shall be managed in accordance with all the provisions of this Act and other laws applicable to such wilderness area.

(Pub. L. 103-433, title VII, §704, Oct. 31, 1994, 108 Stat. 4497.)

REFERENCES IN TEXT

This Act, referred to in text, is defined in section 3 of Pub. L. 103-433, which is set out as a Definitions note under section 410aaa of this title.

§ 410aaa-75. Native American uses and interests

(a) Access

The Secretary shall ensure access to areas designated under this Act by members of Indian Tribes for traditional cultural and religious purposes, consistent with applicable law, including Public Law 95-341 (commonly known as the “American Indian Religious Freedom Act”) (42 U.S.C. 1996).

(b) Temporary closure

(1) In general

In accordance with applicable law, including Public Law 95-341 (commonly known as the “American Indian Religious Freedom Act”) (42 U.S.C. 1996 [, 1996a]), and subject to paragraph (2), the Secretary, on request of an Indian Tribe or Indian religious community, shall temporarily close to general public use any portion of an area designated as a national monument, special management area, wild and scenic river, area of critical environmental concern, or National Park System unit under this Act (referred to in this subsection as a “designated area”) to protect the privacy of traditional cultural and religious activities in the designated area by members of the Indian Tribe or Indian religious community.

(2) Limitation

In closing a portion of a designated area under paragraph (1), the Secretary shall limit the closure to the smallest practicable area for the minimum period necessary for the traditional cultural and religious activities.

(c) Study

(1) The Secretary, in consultation with the Timbisha Shoshone Tribe and relevant Federal agencies, shall conduct a study, subject to the availability of appropriations, to identify lands suitable for a reservation for the Timbisha Shoshone Tribe that are located within the Tribe’s aboriginal homeland area within and outside the boundaries of the Death Valley National Monument and the Death Valley National Park, as described in part A of this subchapter.

(2) Not later than 1 year after October 31, 1994, the Secretary shall submit a report to the Committee on Energy and Natural Resources and the Committee on Indian Affairs of the United States Senate, and the Committee on Natural Resources of the United States House of Representatives on the results of the study conducted under paragraph (1).

(d) Tribal cultural resources management plan

(1) In general

Not later than 2 years after March 12, 2019, the Secretary shall develop and implement a Tribal cultural resources management plan to identify, protect, and conserve cultural resources of Indian Tribes associated with the Xam Kwatchan Trail network extending from Avikwaame (Spirit Mountain, Nevada) to Avikwial (Pilot Knob, California).

(2) Consultation

The Secretary shall consult on the development and implementation of the Tribal cultural resources management plan under paragraph (1) with—