

§ 460zzz-1. Dominguez-Escalante National Conservation Area

(a) Establishment

(1) In general

There is established the Dominguez-Escalante National Conservation Area in the State.

(2) Area included

The Conservation Area shall consist of approximately 209,610 acres of public land, as generally depicted on the Map.

(b) Purposes

The purposes of the Conservation Area are to conserve and protect for the benefit and enjoyment of present and future generations—

(1) the unique and important resources and values of the land, including the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the public land; and

(2) the water resources of area streams, based on seasonally available flows, that are necessary to support aquatic, riparian, and terrestrial species and communities.

(c) Management

(1) In general

The Secretary shall manage the Conservation Area—

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

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

(C) in accordance with—

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

(ii) this subchapter; and

(iii) any other applicable laws.

(2) Uses

(A) In general

The Secretary shall allow only such uses of the Conservation Area as the Secretary determines would further the purposes for which the Conservation Area is established.

(B) Use of motorized vehicles

(i) In general

Except as provided in clauses (ii) and (iii), use of motorized vehicles in the Conservation Area shall be allowed—

(I) before the effective date of the management plan, only on roads and trails designated for use of motor vehicles in the management plan that applies on March 30, 2009, to the public land in the Conservation Area; and

(II) after the effective date of the management plan, only on roads and trails designated in the management plan for the use of motor vehicles.

(ii) Administrative and emergency response use

Clause (i) shall not limit the use of motor vehicles in the Conservation Area

for administrative purposes or to respond to an emergency.

(iii) Limitation

This subparagraph shall not apply to the Wilderness.

(Pub. L. 111-11, title II, § 2402, Mar. 30, 2009, 123 Stat. 1102.)

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (c)(1)(C)(i), 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.

§ 460zzz-2. Dominguez Canyon Wilderness Area

(a) In general

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 66,280 acres of public land in Mesa, Montrose, and Delta Counties, Colorado, as generally depicted on the Map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the “Dominguez Canyon Wilderness Area”.

(b) Administration of Wilderness

The Wilderness shall be managed by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this subchapter, except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to March 30, 2009; and

(2) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(Pub. L. 111-11, title II, § 2403, Mar. 30, 2009, 123 Stat. 1103.)

REFERENCES IN TEXT

The Wilderness Act, referred to in text, is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

CODIFICATION

Section is comprised of section 2403 of Pub. L. 111-11. Section 2403 also enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

§ 460zzz-3. Maps and legal descriptions

(a) In general

As soon as practicable after March 30, 2009, the Secretary shall file a map and a legal description of the Conservation Area and the Wilderness with—

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

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

(b) Force and effect

The Map and legal descriptions filed under subsection (a) shall have the same force and ef-

fect as if included in this subchapter, except that the Secretary may correct clerical and typographical errors in the Map and legal descriptions.

(c) Public availability

The Map and legal descriptions filed under subsection (a) shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

(Pub. L. 111-11, title II, §2404, Mar. 30, 2009, 123 Stat. 1103.)

§ 460zzz-4. Management of Conservation Area and Wilderness

(a) Withdrawal

Subject to valid existing rights, all Federal land within the Conservation Area and the Wilderness and all land and interests in land acquired by the United States within the Conservation Area or the Wilderness is 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 of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) Grazing

(1) Grazing in Conservation Area

Except as provided in paragraph (2), the Secretary shall issue and administer any grazing leases or permits in the Conservation Area in accordance with the laws (including regulations) applicable to the issuance and administration of such leases and permits on other land under the jurisdiction of the Bureau of Land Management.

(2) Grazing in Wilderness

The grazing of livestock in the Wilderness, if established as of March 30, 2009, shall be permitted to continue—

- (A) subject to any reasonable regulations, policies, and practices that the Secretary determines to be necessary; and
- (B) in accordance with—
 - (i) section 1133(d)(4) of this title; and
 - (ii) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101-405).

(c) No buffer zones

(1) In general

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

(2) Activities outside Conservation Area

The fact that an activity or use on land outside the Conservation Area can be seen or heard within the Conservation Area shall not preclude the activity or use outside the boundary of the Conservation Area.

(d) Acquisition of land

(1) In general

The Secretary may acquire non-Federal land within the boundaries of the Conservation

Area or the Wilderness only through exchange, donation, or purchase from a willing seller.

(2) Management

Land acquired under paragraph (1) shall—

- (A) become part of the Conservation Area and, if applicable, the Wilderness; and
- (B) be managed in accordance with this subchapter and any other applicable laws.

(e) Fire, insects, and diseases

Subject to such terms and conditions as the Secretary determines to be desirable and appropriate, the Secretary may undertake such measures as are necessary to control fire, insects, and diseases—

- (1) in the Wilderness, in accordance with section 1133(d)(1) of this title; and
- (2) except as provided in paragraph (1), in the Conservation Area in accordance with this subchapter and any other applicable laws.

(f) Access

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

(g) Invasive species and noxious weeds

In accordance with any applicable laws and subject to such terms and conditions as the Secretary determines to be desirable and appropriate, the Secretary may prescribe measures to control nonnative invasive plants and noxious weeds within the Conservation Area.

(h) Water rights

(1) Effect

Nothing in this subchapter—

- (A) affects the use or allocation, in existence on March 30, 2009, of any water, water right, or interest in water;
- (B) affects any vested absolute or decreed conditional water right in existence on March 30, 2009, including any water right held by the United States;
- (C) affects any interstate water compact in existence on March 30, 2009;
- (D) authorizes or imposes any new reserved Federal water rights; or
- (E) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State on or before March 30, 2009.

(2) Wilderness water rights

(A) In general

The Secretary shall ensure that any water rights within the Wilderness required to fulfill the purposes of the Wilderness are secured in accordance with subparagraphs (B) through (G).

(B) State law

(i) Procedural requirements

Any water rights within the Wilderness for which the Secretary pursues adjudication shall be adjudicated, changed, and administered in accordance with the procedural requirements and priority system of State law.

(ii) Establishment of water rights

(I) In general

Except as provided in subclause (II), the purposes and other substantive char-