

(Pub. L. 109-337, § 5, Oct. 12, 2006, 120 Stat. 1778.)

§ 460rrr-4. Management plan

(a) In general

Not later than 4 years after October 12, 2006, the Secretary and the Commission, in coordination with appropriate agencies in the State of Colorado, political subdivisions of the State, and private landowners in the Natural Area, shall prepare management plans for the Natural Area as provided in subsection (b).

(b) Duties of Secretary and Commission

(1) Secretary

The Secretary shall prepare a management plan relating to the management of Federal land in the Natural Area.

(2) Commission

(A) In general

The Commission shall prepare a management plan relating to the management of the non-Federal land in the Natural Area.

(B) Approval or disapproval

(i) In general

The Commission shall submit to the Secretary the management plan prepared under subparagraph (A) for approval or disapproval.

(ii) Action following disapproval

If the Secretary disapproves the management plan submitted under clause (i), the Secretary shall—

(I) notify the Commission of the reasons for the disapproval; and

(II) allow the Commission to submit to the Secretary revisions to the management plan submitted under clause (i).

(3) Cooperation

The Secretary and the Commission shall cooperate to ensure that the management plans relating to the management of Federal land and non-Federal land are consistent.

(c) Requirements

The management plans shall—

(1) take into consideration Federal, State, and local plans in existence on October 12, 2006, to present a unified preservation, restoration, and conservation plan for the Natural Area;

(2) with respect to Federal land in the Natural Area—

(A) be developed in accordance with section 1712 of title 43;

(B) be consistent, to the maximum extent practicable, with the management plans adopted by the Director of the Bureau of Land Management for land adjacent to the Natural Area; and

(C) be considered to be an amendment to the San Luis Resource Management Plan of the Bureau of Land Management; and

(3) include—

(A) an inventory of the resources contained in the Natural Area (including a list of property in the Natural Area that should be preserved, restored, managed, developed,

maintained, or acquired to further the purposes of the Natural Area); and

(B) a recommendation of policies for resource management, including the use of intergovernmental cooperative agreements, that—

(i) protect the resources of the Natural Area; and

(ii) provide for solitude, quiet use, and pristine natural values of the Natural Area.

(d) Publication

The Secretary shall publish notice of the management plans in the Federal Register.

(Pub. L. 109-337, § 6, Oct. 12, 2006, 120 Stat. 1779.)

§ 460rrr-5. Administration of Natural Area

(a) In general

The Secretary shall administer the Federal land in the Natural Area—

(1) in accordance with—

(A) the laws (including regulations) applicable to public land; and

(B) the management plan; and

(2) in a manner that provides for—

(A) the conservation, restoration, and protection of the natural, historic, scientific, scenic, wildlife, and recreational resources of the Natural Area;

(B) the continued use of the Natural Area for purposes of education, scientific study, and limited public recreation in a manner that does not substantially impair the purposes for which the Natural Area is established;

(C) the protection of the wildlife habitat of the Natural Area;

(D) a prohibition on the construction of water storage facilities in the Natural Area; and

(E) the reduction in the use of or removal of roads in the Natural Area and, to the maximum extent practicable, the reduction in or prohibition against the use of motorized vehicles in the Natural Area (including the removal of roads and a prohibition against motorized use on Federal land in the area on the western side of the Rio Grande River from Lobatos Bridge south to the New Mexico State line).

(b) Changes in streamflow

The Secretary is encouraged to negotiate with the State of Colorado, the Rio Grande Water Conservation District, and affected water users in the State to determine if changes in the streamflow that are beneficial to the Natural Area may be accommodated.

(c) Private land

The management plan prepared under section 460rrr-4(b)(2)(A) of this title shall apply to private land in the Natural Area only to the extent that the private landowner agrees in writing to be bound by the management plan.

(d) Withdrawal

Subject to valid existing rights, all Federal land in the Natural Area 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) disposition under the mineral leasing laws (including geothermal leasing laws).

(e) Acquisition of land

(1) In general

The Secretary may acquire from willing sellers by purchase, exchange, or donation land or an interest in land in the Natural Area.

(2) Administration

Any land or interest in land acquired under paragraph (1) shall be administered in accordance with the management plan and this subchapter.

(f) Applicable law

Section 1276(d)(1) of this title shall not apply to the Natural Area.

(Pub. L. 109-337, §7, Oct. 12, 2006, 120 Stat. 1780.)

§ 460rrr-6. Effect

Nothing in this subchapter—

(1) amends, modifies, or is in conflict with the Rio Grande Compact, consented to by Congress in the Act of May 31, 1939 (53 Stat. 785, ch. 155);

(2) authorizes the regulation of private land in the Natural Area;

(3) authorizes the imposition of any mandatory streamflow requirements;

(4) creates an express or implied Federal reserved water right;

(5) imposes any Federal water quality standard within or upstream of the Natural Area that is more restrictive than would be applicable had the Natural Area not been established; or

(6) prevents the State of Colorado from acquiring an instream flow through the Natural Area under the terms, conditions, and limitations of State law to assist in protecting the natural environment to the extent and for the purposes authorized by State law.

(Pub. L. 109-337, §8, Oct. 12, 2006, 120 Stat. 1781.)

Editorial Notes

REFERENCES IN TEXT

Act of May 31, 1939, referred to in par. (1), is act May 31, 1939, ch. 155, 53 Stat. 785, which is not classified to the Code.

§ 460rrr-7. Authorization of appropriations

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

(Pub. L. 109-337, §9, Oct. 12, 2006, 120 Stat. 1782.)

§ 460rrr-8. Termination of Commission

The Commission shall terminate on the date that is 10 years after October 12, 2006.

(Pub. L. 109-337, §10, Oct. 12, 2006, 120 Stat. 1782.)

SUBCHAPTER CXXX—COW MOUNTAIN RECREATION AREA

§ 460sss. Cow Mountain Recreation Area, Lake and Mendocino Counties, California

(a) Establishment

In order to enhance the recreational and scenic values of the Cow Mountain area in Lake and Mendocino Counties, California, while conserving the wildlife and other natural resource values of the area, there is hereby established the Cow Mountain Recreation Area (in this section referred to as the “recreation area”) consisting of approximately 51,513 acres of land in such counties, as generally depicted on the map entitled “Cow Mountain Recreation Area” and dated July 22, 2006, including the following:

(1) The “South Cow Mountain OHV Management Area”, as generally depicted on the map.

(2) The “North Cow Mountain Recreation Area”, as generally depicted on the map.

(b) Legal descriptions; correction of errors

(1) Preparation and submission

As soon as practicable after October 17, 2006, the Secretary of the Interior shall prepare a map and legal descriptions of the boundaries of the recreation area. The Secretary shall submit the map and legal descriptions to the Committee on Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate.

(2) Legal effect

The map and legal descriptions of the recreation area shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal descriptions. The map shall be on file and available for public inspection in appropriate offices of the Bureau of Land Management.

(c) Administration

(1) In general

The Secretary of the Interior shall administer the recreation area in accordance with this section and the laws and regulations generally applicable to the public lands, including the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(2) Existing rights

The establishment of the recreation area shall be subject to all valid existing rights.

(d) Recreational activities

(1) In general

The Secretary of the Interior shall continue to authorize, maintain, and enhance the recreational use of the land included in the recreation area, including motorized recreation, hiking, camping, mountain biking, sightseeing, and horseback riding, as long as such recreational use is consistent with this section and other applicable law.

(2) Off-road and motorized recreation

Motorized recreation shall be a prescribed use within the South Cow Mountain OHV Management Area, occurring only on roads and