

(5) Wilderness boundaries along Gunnison River**(A) In general**

In areas in which the Gunnison River is used as a reference for defining the boundary of the Wilderness, the boundary shall—

- (i) be located at the edge of the river; and
- (ii) change according to the river level.

(B) Exclusion from Wilderness

Regardless of the level of the Gunnison River, no portion of the Gunnison River is included in the Wilderness.

(i) Effect

Nothing in this subchapter—

(1) diminishes the jurisdiction of the State with respect to fish and wildlife in the State; or

(2) imposes any Federal water quality standard upstream of the Conservation Area or within the mainstem of the Gunnison River that is more restrictive than would be applicable had the Conservation Area not been established.

(j) Valid existing rights

The designation of the Conservation Area and Wilderness is subject to valid rights in existence on March 30, 2009.

(Pub. L. 111-11, title II, §2405, Mar. 30, 2009, 123 Stat. 1104.)

§ 460zzz-5. Management plan**(a) In general**

Not later than 3 years after March 30, 2009, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the Conservation Area.

(b) Purposes

The management plan shall—

- (1) describe the appropriate uses and management of the Conservation Area;
- (2) be developed with extensive public input;
- (3) take into consideration any information developed in studies of the land within the Conservation Area; and
- (4) include a comprehensive travel management plan.

(Pub. L. 111-11, title II, §2406, Mar. 30, 2009, 123 Stat. 1107.)

§ 460zzz-6. Advisory Council**(a) Establishment**

Not later than 180 days after March 30, 2009, the Secretary shall establish an advisory council, to be known as the “Dominguez-Escalante National Conservation Area Advisory Council”.

(b) Duties

The Council shall advise the Secretary with respect to the preparation and implementation of the management plan.

(c) Applicable law

The Council shall be subject to—

- (1) the Federal Advisory Committee Act (5 U.S.C. App.); and

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

(d) Members

The Council shall include 10 members to be appointed by the Secretary, of whom, to the extent practicable—

(1) 1 member shall be appointed after considering the recommendations of the Mesa County Commission;

(2) 1 member shall be appointed after considering the recommendations of the Montrose County Commission;

(3) 1 member shall be appointed after considering the recommendations of the Delta County Commission;

(4) 1 member shall be appointed after considering the recommendations of the permittees holding grazing allotments within the Conservation Area or the Wilderness; and

(5) 5 members shall reside in, or within reasonable proximity to, Mesa County, Delta County, or Montrose County, Colorado, with backgrounds that reflect—

(A) the purposes for which the Conservation Area or Wilderness was established; and

(B) the interests of the stakeholders that are affected by the planning and management of the Conservation Area and Wilderness.

(e) Representation

The Secretary shall ensure that the membership of the Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Council.

(f) Duration

The Council shall terminate on the date that is 1 year from the date on which the management plan is adopted by the Secretary.

(Pub. L. 111-11, title II, §2407, Mar. 30, 2009, 123 Stat. 1107.)

Editorial Notes

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (c)(1), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

The Federal Land Policy and Management Act of 1976, referred to in subsec. (c)(2), 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-7. Authorization of appropriations

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

(Pub. L. 111-11, title II, §2408, Mar. 30, 2009, 123 Stat. 1108.)

SUBCHAPTER CXXXVIII—NELLIS DUNES OFF-HIGHWAY VEHICLE RECREATION AREA**§ 460aaaa. Nellis Dunes Off-Highway Vehicle Recreation Area****(1) Definitions**

In this section:

(A) City

The term “City” means the city of North Las Vegas, Nevada.

(B) Clark County Off-Highway Vehicle Recreation Park

The term “Clark County Off-Highway Vehicle Recreation Park” means the approximately 960 acres of land identified on the Map as “Clark County Off-Highway Vehicle Recreation Park”.

(C) County

The term “County” means Clark County, Nevada.

(D) Map

The term “Map” means the map entitled “Nellis Dunes OHV Recreation Area” and dated December 17, 2013.

(E) Nellis Dunes Off-Highway Recreation Area

The term “Nellis Dunes Off-Highway Recreation Area” means the approximately 10,035 acres of land identified on the Map as “Nellis Dunes OHV Recreation Area”.

(F) Secretary

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

(G) State

The term “State” means the State of Nevada.

(2) Conveyance of Federal land to County**(A) In general**

As soon as practicable after December 19, 2014, the Secretary shall convey to the County, subject to valid existing rights and subparagraph (B), without consideration, all right, title, and interest of the United States in and to the Clark County Off-Highway Vehicle Recreation Park.

(B) Reservation of mineral estate

In conveying the parcels of Federal land under subparagraph (A), the Secretary shall reserve the mineral estate, except for purposes related to flood mitigation (including removal from aggregate flood events).

(C) Use of conveyed land**(i) In general**

The parcels of land conveyed under subparagraph (A) may be used by the County for any public purposes described in clause (ii), consistent with the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(ii) Authorized uses

The land conveyed under subparagraph (A)—

(I) shall be used by the County—

(aa) to provide a suitable location for the establishment of a centralized off-road vehicle recreation park in the County;

(bb) to provide the public with opportunities for off-road vehicle recreation, including a location for races, competitive events, training and other commer-

cial services that directly support a centralized off-road vehicle recreation area and County park;

(cc) to provide a designated area and facilities that would discourage unauthorized use of off-highway vehicles in areas that have been identified by the Federal Government, State government, or County government as containing environmentally sensitive land; and

(II) shall not be disposed of by the County.

(iii) Reversion

If the County ceases to use any parcel of land conveyed under subparagraph (A) for the purposes described in clause (ii)—

(I) title to the parcel shall revert to the Secretary, at the option of the Secretary; and

(II) the County shall be responsible for any reclamation necessary to revert the parcel to the United States.

(iv) Management plan

The Secretary of the Air Force and the County, may develop a special management plan for the land conveyed under subparagraph (A)—

(I) to enhance public safety and safe off-highway vehicle recreation use in the Nellis Dunes Recreation Area;

(II) to ensure compatible development with the mission requirements of the Nellis Air Force Base; and

(III) to avoid and mitigate known public health risks associated with off-highway vehicle use in the Nellis Dunes Recreation Area.

(D) Agreement with Nellis Air Force Base**(i) In general**

Before the Federal land may be conveyed to the County under subparagraph (A), the Clark County Board of Commissioners and Nellis Air Force Base shall enter into an interlocal agreement for the Federal land and the Nellis Dunes Recreation Area—

(I) to enhance safe off-highway recreation use; and

(II) to ensure that development of the Federal land is consistent with the long-term mission requirements of Nellis Air Force Base.

(ii) Limitation

The use of the Federal land conveyed under subparagraph (A) shall not compromise the national security mission of Nellis Air Force Base.

(E) Additional terms and conditions

With respect to the conveyance of Federal land under subparagraph (A), the Secretary may require such additional terms and conditions as the Secretary considers to be appropriate to protect the interests of the United States.

(3) Designation of Nellis Dunes Off-Highway Vehicle Recreation Area**(A) In general**

The approximately 10,035 acres of land identified on the Map as the “Nellis Dunes OHV

Recreation Area” shall be known and designated as the “Nellis Dunes Off-Highway Vehicle Recreation Area”.

(B) Management plan

The Secretary may develop a special management plan for the Nellis Dunes Off-Highway Recreation Area to enhance the safe use of off-highway vehicles for recreational purposes.

(Pub. L. 113–291, div. B, title XXX, § 3092(j), Dec. 19, 2014, 128 Stat. 3876.)

Editorial Notes

REFERENCES IN TEXT

Act of June 14, 1926, referred to in par. (2)(C)(i), is act June 14, 1926, ch. 578, 44 Stat. 741, popularly known as the Recreation and Public Purposes Act, which is classified to sections 869 to 869-4 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 869 of Title 43 and Tables.

SUBCHAPTER CXXXIX—ASHLEY KARST NATIONAL RECREATION AND GEOLOGIC AREA

Editorial Notes

PRIOR PROVISIONS

A prior subchapter CXXXIX, relating to Martin Luther King, Jr. National Historical Park and consisting of sections 460bbbb to 460bbbb-7 of this title, was editorially reclassified as subchapter LIX-UU (§ 410www et seq.) of this chapter.

§ 460bbbb. Ashley Karst National Recreation and Geologic Area

(a) Definitions

In this section:

(1) Management Plan

The term “Management Plan” means the management plan for the Recreation Area prepared under subsection (e)(2)(A).

(2) Map

The term “Map” means the map entitled “Northern Utah Lands Management Act-Overview” and dated February 4, 2019.

(3) Recreation Area

The term “Recreation Area” means the Ashley Karst National Recreation and Geologic Area established by subsection (b)(1).

(4) Secretary

The term “Secretary” means the Secretary of Agriculture.

(5) State

The term “State” means the State of Utah.

(b) Establishment

(1) In general

Subject to valid existing rights, there is established the Ashley Karst National Recreation and Geologic Area in the State.

(2) Area included

The Recreation Area shall consist of approximately 173,475 acres of land in the Ashley National Forest, as generally depicted on the Map.

(c) Purposes

The purposes of the Recreation Area are to conserve and protect the watershed, geological, recreational, wildlife, scenic, natural, cultural, and historic resources of the Recreation Area.

(d) Map and legal description

(1) In general

As soon as practicable after March 12, 2019, the Secretary shall prepare and submit to the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of the Recreation Area.

(2) Effect

The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map or legal description.

(3) Availability

A copy of the map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(e) Administration

(1) In general

The Secretary shall administer the Recreation Area in accordance with—

- (A) the laws generally applicable to the National Forest System, including the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);
- (B) this section; and
- (C) any other applicable law.

(2) Management plan

(A) In general

Not later than 2 years after March 12, 2019, the Secretary shall prepare a management plan for the Recreation Area.

(B) Consultation

The Secretary shall—

- (i) prepare the management plan in consultation and coordination with Uintah County, Utah, and affected Indian Tribes; and
- (ii) provide for public input in the preparation of the management plan.

(f) Uses

The Secretary shall only allow such uses of the Recreation Area that would—

- (1) further the purposes for which the Recreation Area is established; and
- (2) promote the long-term protection and management of the watershed and underground karst system of the Recreation Area.

(g) Motorized vehicles

(1) In general

Except as needed for emergency response or administrative purposes, the use of motorized vehicles in the Recreation Area shall be permitted only on roads and motorized routes designated in the Management Plan for the use of motorized vehicles.