

of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 410hhh-4. Baca National Wildlife Refuge, Colorado

(a) Establishment and purpose

(1) Establishment

(A) In general

When the Secretary determines that sufficient land has been acquired to constitute an area that can be efficiently managed as a National Wildlife Refuge, the Secretary shall establish the Baca National Wildlife Refuge, as generally depicted on the map.

(B) Effective date

The establishment of the refuge under subparagraph (A) shall be effective upon publication of a notice of the Secretary's determination in the Federal Register.

(2) Purpose

The purpose of the Baca National Wildlife Refuge shall be to restore, enhance, and maintain wetland, upland, riparian, and other habitats for native wildlife, plant, and fish species in the San Luis Valley.

(b) Availability of map

The map shall be on file and available for public inspection in the appropriate offices of the United States Fish and Wildlife Service.

(c) Administration

(1) In general

The Secretary shall administer all lands and interests therein acquired within the boundaries of the national wildlife refuge in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and the Act of September 28, 1962 (16 U.S.C. 460k et seq.) (commonly known as the Refuge Recreation Act).

(2) Requirements

In administering the Baca National Wildlife Refuge, the Secretary shall, to the maximum extent practicable—

(A) emphasize migratory bird conservation; and

(B) take into consideration the role of the Refuge in broader landscape conservation efforts.

(d) Protection of water resources

In administering water resources for the national wildlife refuge, the Secretary shall—

(1) protect and maintain irrigation water rights necessary for the protection of monument, park, preserve, and refuge resources and uses;

(2) minimize, to the extent consistent with the protection of national wildlife refuge resources, adverse impacts on other water users; and

(3) subject to any agreement in existence as of March 11, 2009, and to the extent consistent with the purposes of the Refuge, use decreed water rights on the Refuge in approximately the same manner that the water rights have been used historically.

(Pub. L. 106-530, § 6, Nov. 22, 2000, 114 Stat. 2530; Pub. L. 111-8, div. E, title I, § 117, Mar. 11, 2009, 123 Stat. 724.)

Editorial Notes

REFERENCES IN TEXT

The National Wildlife Refuge System Administration Act of 1966, referred to in subsec. (c)(1), consists of sections 4 and 5 of Pub. L. 89-669, Oct. 15, 1966, 80 Stat. 927, and is classified to sections 668dd and 668ee of this title. For further details, see Short Title note set out under section 668dd of this title.

Act of September 28, 1962, referred to in subsec. (c)(1), is Pub. L. 87-714, Sept. 28, 1962, 76 Stat. 653, popularly known as the Refuge Recreation Act, which is classified generally to subchapter LXVIII (§ 460k et seq.) of this chapter.

AMENDMENTS

2009—Subsec. (a). Pub. L. 111-8, § 117(1), substituted “Establishment and purpose” for “Establishment” in heading, designated existing provisions as par. (1) and inserted heading, redesignated former pars. (1) and (2) as subpars. (A) and (B), respectively, and inserted headings, substituted “The establishment of the refuge under subparagraph (A)” for “Such establishment” in subpar. (B), and added par. (2).

Subsec. (c). Pub. L. 111-8, § 117(2), designated existing provisions as par. (1), inserted heading, and added par. (2).

Subsec. (d)(3). Pub. L. 111-8, § 117(3), added par. (3).

§ 410hhh-5. Administration of national park and preserve

(a) In general

The Secretary shall administer the national park and the preserve in accordance with—

(1) this subchapter; and

(2) all laws generally applicable to units of the National Park System, including—

(A) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1, 2-4);¹ and

(B) the Act entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes”, approved August 21, 1935 (16 U.S.C. 461 et seq.).¹

(b) Grazing

(1) Acquired State or private land

With respect to former State or private land on which grazing is authorized to occur on November 22, 2000, and which is acquired for the national monument, or the national park and preserve, or the wildlife refuge, the Secretary, in consultation with the lessee, may permit the continuation of grazing on the land by the lessee at the time of acquisition, subject to applicable law (including regulations).

(2) Federal land

Where grazing is permitted on land that is Federal land as of November 22, 2000, and that is located within the boundaries of the national monument or the national park and preserve, the Secretary is authorized to permit the continuation of such grazing activities unless the Secretary determines that grazing would harm the resources or values of the national park or the preserve.

(3) Termination of leases

Nothing in this subsection shall prohibit the Secretary from accepting the voluntary termi-

¹ See References in Text note below.