

way, which is located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

(Pub. L. 103-433, title V, §511, Oct. 31, 1994, 108 Stat. 4492.)

Editorial Notes

REFERENCES IN TEXT

Section 601(a)(3), referred to in text, is section 601(a)(3) of Pub. L. 103-433, which enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

§ 410aaa-52. Preparation of management plan

Within three years after October 31, 1994, the Secretary shall submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives a detailed and comprehensive management plan for the preserve. Such plan shall place emphasis on historical and cultural sites and ecological and wilderness values within the boundaries of the preserve. Such plan shall evaluate the feasibility of using the Kelso Depot and existing railroad corridor to provide public access to and a facility for special interpretive, educational, and scientific programs within the preserve. Such plan shall specifically address the needs of individuals with disabilities in the design of services, programs, accommodations and facilities consistent with section 794 of title 29, Public Law 101-336, the Americans with Disabilities Act of 1990 [42 U.S.C. 12101 et seq.], and other appropriate laws and regulations.

(Pub. L. 103-433, title V, §512, Oct. 31, 1994, 108 Stat. 4494.)

Editorial Notes

REFERENCES IN TEXT

The Americans with Disabilities Act of 1990, referred to in text, is Pub. L. 101-336, July 26, 1990, 104 Stat. 327, which is classified principally to chapter 126 (§12101 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 12101 of Title 42 and Tables.

§ 410aaa-53. Granite Mountains Natural Reserve

(a) Establishment

There is hereby designated the Granite Mountains Natural Reserve within the preserve comprising approximately nine thousand acres as generally depicted on a map entitled “Mojave National Park Boundary and Wilderness—Proposed 6”, dated May 1991.

(b) Cooperative management agreement

On October 31, 1994, the Secretary shall enter into a cooperative management agreement with the University of California for the purposes of managing the lands within the Granite Mountains Natural Reserve. Such cooperative agreement shall ensure continuation of arid lands research and educational activities of the University of California, consistent with the provisions

of this part and laws generally applicable to units of the National Park System.

(Pub. L. 103-433, title V, §513, Oct. 31, 1994, 108 Stat. 4494.)

§ 410aaa-54. Soda Springs Desert Study Center

On October 31, 1994, the Secretary shall enter into a cooperative management agreement with California State University for the purposes of managing facilities at the Soda Springs Desert Study Center. Such cooperative agreement shall ensure continuation of the desert research and educational activities of California State University, consistent with the provisions of this part and laws generally applicable to units of the National Park System.

(Pub. L. 103-433, title V, §514, Oct. 31, 1994, 108 Stat. 4494.)

§ 410aaa-55. Construction of visitor center

The Secretary is authorized to construct a visitor center in the preserve for the purpose of providing information through appropriate displays, printed material, and other interpretive programs, about the resources of the preserve.

(Pub. L. 103-433, title V, §515, Oct. 31, 1994, 108 Stat. 4494.)

§ 410aaa-56. Acquisition of lands

The Secretary is authorized to acquire all lands and interest in lands within the boundary of the preserve by donation, purchase, or exchange, except that—

(1) any lands or interests therein within the boundary of the preserve which are owned by the State of California, or any political subdivision thereof, may be acquired only by donation or exchange except for lands managed by the California State Lands Commission; and

(2) lands or interests therein within the boundary of the preserve which are not owned by the State of California or any political subdivision thereof may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the preserve or which is otherwise incompatible with the purposes of this part: *Provided*, however, That the construction, modification, repair, improvement, or replacement of a single-family residence shall not be determined to be detrimental to the integrity of the preserve or incompatible with the purposes of this part.

(Pub. L. 103-433, title V, §516, Oct. 31, 1994, 108 Stat. 4494.)

Statutory Notes and Related Subsidiaries

BOUNDARY ADJUSTMENT, MOJAVE NATIONAL PRESERVE

Pub. L. 116-9, title I, §1432, Mar. 12, 2019, 133 Stat. 700, provided that: “The boundary of the Mojave National Preserve is adjusted to include the 25 acres of Bureau of Land Management land in Baker, California, as depicted on the map entitled ‘Mojave National Preserve Proposed Boundary Addition’, numbered 170/100,199A, and dated November 1, 2018.”

LAND EXCHANGE, MOJAVE NATIONAL PRESERVE

Pub. L. 108–87, title VIII, §8121, Sept. 30, 2003, 117 Stat. 1100, provided that:

“(a) EXCHANGE REQUIRED.—In exchange for the private property described in subsection (b), the Secretary of the Interior shall convey to the Veterans Home of California—Barstow, Veterans of Foreign Wars Post #385E (in this section referred to as the ‘recipient’), all right, title, and interest of the United States in and to a parcel of real property consisting of approximately one acre in the Mojave National Preserve and designated (by section 8137 of the Department of Defense Appropriations Act, 2002 (Public Law 107–117; 115 Stat. 2278) [54 U.S.C. 320301 note]) as a national memorial commemorating United States participation in World War I and honoring the American veterans of that war. Notwithstanding the conveyance of the property under this subsection, the Secretary shall continue to carry out the responsibilities of the Secretary under such section 8137.

“(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 develop-

ment 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 chapter 10 of title 5

Chapter 10 of title 5 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; Pub. L. 117–286, §4(a)(86), Dec. 27, 2022, 136 Stat. 4315.)

Editorial Notes

AMENDMENTS

2022—Subsec. (c). Pub. L. 117–286 substituted “Chapter 10 of title 5” for “The Federal Advisory Committee Act”.

§ 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.)

Editorial Notes

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.