

(c) Applicable law

The Council shall be subject to—

- (1) chapter 10 of title 5; 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; Pub. L. 117–286, §4(a)(97), Dec. 27, 2022, 136 Stat. 4316.)

Editorial Notes

REFERENCES IN TEXT

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.

AMENDMENTS

2022—Subsec. (c)(1). Pub. L. 117–286 substituted “chapter 10 of title 5;” for “the Federal Advisory Committee Act (5 U.S.C. App.);”.

§ 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 commercial 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 460bbb to 460bbb-7 of this title, was editorially reclassified as subchapter LIX-UU (§410www et seq.) of this chapter.

§ 460bbb. 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.