

(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.

**(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.

**(2) New roads**

No new permanent or temporary roads or other motorized vehicle routes shall be constructed within the Recreation Area after March 12, 2019.

**(3) Existing roads****(A) In general**

Necessary maintenance or repairs to existing roads designated in the Management Plan for the use of motorized vehicles, including necessary repairs to keep existing roads free of debris or other safety hazards, shall be permitted after March 12, 2019, consistent with the requirements of this section.

**(B) Rerouting**

Nothing in this subsection prevents the Secretary from rerouting an existing road or trail to protect Recreation Area resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary.

**(4) Over snow vehicles****(A) In general**

Nothing in this section prohibits the use of snowmobiles and other over snow vehicles within the Recreation Area.

**(B) Winter recreation use plan**

Not later than 2 years after March 12, 2019, the Secretary shall undertake a winter recreation use planning process, which shall include opportunities for use by snowmobiles or other over snow vehicles in appropriate areas of the Recreation Area.

**(5) Applicable law**

Activities authorized under this subsection shall be consistent with the applicable forest plan and travel management plan for, and any law (including regulations) applicable to, the Ashley National Forest.

**(h) Water infrastructure****(1) Existing access**

The designation of the Recreation Area shall not affect the ability of authorized users to access, operate, and maintain water infrastructure facilities within the Recreation Area in accordance with applicable authorizations and permits.

**(2) Cooperative agreements****(A) In general**

The Secretary shall offer to enter into a cooperative agreement with authorized users

and local governmental entities to provide, in accordance with any applicable law (including regulations)—

- (i) access, including motorized access, for repair and maintenance to water infrastructure facilities within the Recreation Area, including Whiterocks Reservoir, subject to such terms and conditions as the Secretary determines to be necessary; and
- (ii) access and maintenance by authorized users and local governmental entities for the continued delivery of water to the Ashley Valley if water flows cease or become diminished due to impairment of the karst system, subject to such terms and conditions as the Secretary determines to be necessary.

**(i) Grazing**

The grazing of livestock in the Recreation Area, where established before March 12, 2019, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

- (1) applicable law (including regulations);
- (2) the purposes of the Recreation Area; and
- (3) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

**(j) Fish and wildlife**

Nothing in this section affects the jurisdiction of the State with respect to the management of fish and wildlife on Federal land in the State.

**(k) Wildlife water projects**

The Secretary, in consultation with the State, may authorize wildlife water projects (including guzzlers) within the Recreation Area.

**(l) Water rights**

Nothing in this section—

- (1) constitutes an express or implied reservation by the United States of any water rights with respect to the Recreation Area;
- (2) affects any water rights in the State;
- (3) affects the use or allocation, in existence on March 12, 2019, of any water, water right, or interest in water;
- (4) affects any vested absolute or decreed conditional water right in existence on March 12, 2019, including any water right held by the United States;
- (5) affects any interstate water compact in existence on March 12, 2019; or
- (6) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State on or before March 12, 2019.

**(m) Withdrawal**

Subject to valid existing rights, all Federal land in the Recreation Area is withdrawn from—

- (1) all forms of entry, appropriation, and disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

**(n) Vegetation management**

Nothing in this section prevents the Secretary from conducting vegetation management

projects, including fuels reduction activities, within the Recreation Area for the purposes of improving water quality and reducing risks from wildfire.

**(o) Wildland fire operations**

Nothing in this section prohibits the Secretary, in consultation with other Federal, State, local, and Tribal agencies, as appropriate, from conducting wildland fire treatment operations or restoration operations in the Recreation Area, consistent with the purposes of this section.

**(p) Recreation fees**

Except for fees for improved campgrounds, the Secretary is prohibited from collecting recreation entrance or recreation use fees within the Recreation Area.

**(q) Communication infrastructure**

Nothing in this section affects the continued use of, and access to, communication infrastructure (including necessary upgrades) within the Recreation Area, in accordance with applicable authorizations and permits.

**(r) Non-Federal land**

**(1) In general**

Nothing in this section affects non-Federal land or interests in non-Federal land within the Recreation Area.

**(2) Access**

The Secretary shall provide reasonable access to non-Federal land or interests in non-Federal land within the Recreation Area.

**(s) Outfitting and guide activities**

Outfitting and guide services within the Recreation Area, including commercial outfitting and guide services, are authorized in accordance with this section and other applicable law (including regulations).

(Pub. L. 116-9, title I, §1117, Mar. 12, 2019, 133 Stat. 623.)

**Editorial Notes**

REFERENCES IN TEXT

The Forest and Rangeland Renewable Resources Planning Act of 1974, referred to in subsec. (e)(1)(A), is Pub. L. 93-378, Aug. 17, 1974, 88 Stat. 476, which is classified generally to subchapter I (§1600 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1600 of this title and Tables.

PRIOR PROVISIONS

Prior sections 460bbbb to 460bbbb-7 were transferred to sections 410www to 410www-7 of this title.

Section 460bbbb, Pub. L. 96-428, §1, Oct. 10, 1980, 94 Stat. 1839; Pub. L. 102-575, title XL, §4024(a), Oct. 30, 1992, 106 Stat. 4768; Pub. L. 115-108, §2(1)-(3), Jan. 8, 2018, 131 Stat. 2267, related to establishment of Martin Luther King, Jr. National Historical Park.

Section 460bbbb-1, Pub. L. 96-428, §2, Oct. 10, 1980, 94 Stat. 1839; Pub. L. 108-314, §3, Oct. 5, 2004, 118 Stat. 1199; Pub. L. 115-108, §2(2), (3), Jan. 8, 2018, 131 Stat. 2267, related to administration of the Park.

Section 460bbbb-2, Pub. L. 96-428, §3, Oct. 10, 1980, 94 Stat. 1840; Pub. L. 115-108, §2(3), (4), Jan. 8, 2018, 131 Stat. 2267, related to authority of Secretary regarding property and concessions.

Section 460bbbb-3, Pub. L. 96-428, §4, Oct. 10, 1980, 94 Stat. 1841, related to establishment of the Martin Lu-

ther King, Junior, National Historic Site Advisory Commission.

Section 460bbbb-4, Pub. L. 96-428, §5, Oct. 10, 1980, 94 Stat. 1842; Pub. L. 115-108, §2(3), Jan. 8, 2018, 131 Stat. 2267, related to prohibition of entrance or admission fees.

Section 460bbbb-5, Pub. L. 96-428, §6, Oct. 10, 1980, 94 Stat. 1842; Pub. L. 102-575, title XL, §4024(b), Oct. 30, 1992, 106 Stat. 4768, related to authorization of appropriations and limitation on authority to enter into contracts, incur obligations, or make payments.

Section 460bbbb-6, Pub. L. 96-428, §7, Oct. 10, 1980, 94 Stat. 1842, related to minimization of adverse impacts on preservation district.

Section 460bbbb-7, Pub. L. 96-428, §8, Oct. 10, 1980, 94 Stat. 1843, related to submission of comprehensive general management plan.

## SUBCHAPTER CXL—JOHN WESLEY POWELL NATIONAL CONSERVATION AREA

### Editorial Notes

#### PRIOR PROVISIONS

A prior subchapter CXL, relating to Ste. Genevieve National Historical Park and consisting of section 460cccc, was editorially reclassified as subchapter LIX-VV (§410xxx) of this chapter.

### § 460cccc. John Wesley Powell National Conservation Area

#### (a) Definitions

In this section:

##### (1) Map

The term “Map” means the Bureau of Land Management map entitled “Proposed John Wesley Powell National Conservation Area” and dated December 10, 2018.

##### (2) National Conservation Area

The term “National Conservation Area” means the John Wesley Powell National Conservation Area established by subsection (b)(1).

#### (b) Establishment

##### (1) In general

Subject to valid existing rights, there is established the John Wesley Powell National Conservation Area in the State of Utah.

##### (2) Area included

The National Conservation Area shall consist of approximately 29,868 acres of public land administered by the Bureau of Land Management as generally depicted on the Map.

#### (c) Purposes

The purposes of the National Conservation Area are to conserve, protect, and enhance for the benefit of present and future generations the nationally significant historic, cultural, natural, scientific, scenic, recreational, archaeological, educational, and wildlife resources of the National Conservation Area.

#### (d) Map and legal description

##### (1) In general

As soon as practicable after March 12, 2019, the Secretary shall prepare and file a map and legal description of the National Conservation Area with the Committee on Energy and Natural Resources of the Senate and the Com-

mittee on Natural Resources of the House of Representatives.

#### (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 shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

#### (e) Management

The Secretary shall manage the National Conservation Area—

(1) in a manner that conserves, protects, and enhances the resources of the National Conservation Area;

(2) in accordance with—

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

(B) this section; and

(C) any other applicable law; and

(3) as a component of the National Landscape Conservation System.

##### (4) MANAGEMENT PLAN

(A) IN GENERAL.—Not later than 2 years after March 12, 2019, the Secretary shall develop a management plan for the National Conservation Area.

(B) CONSULTATION.—The Secretary shall prepare the management plan—

(i) in consultation and coordination with the State of Utah, Uintah County, and affected Indian Tribes; and

(ii) after providing for public input.

#### (f) Uses

The Secretary shall only allow such uses of the National Conservation Area as the Secretary determines would further the purposes for which the National Conservation is established.

#### (g) Acquisition

##### (1) In general

The Secretary may acquire land or interests in land within the boundaries of the National Conservation Area by purchase from a willing seller, donation, or exchange.

##### (2) Incorporation in National Conservation Area

Any land or interest in land located inside the boundary of the National Conservation Area that is acquired by the United States after March 12, 2019, shall be added to and administered as part of the National Conservation Area.

##### (3) State land

On request of the Utah School and Institutional Trust Lands Administration and, if practicable, not later than 5 years after March 12, 2019, the Secretary shall seek to acquire all State-owned land within the boundaries of the National Conservation Area by exchange or purchase, subject to the appropriation of necessary funds.