

The National Environmental Policy Act of 1969, referred to in subsec. (n)(1)(C)(i), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 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 4321 of Title 42 and Tables.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “Secretary” as used in this section, see section 3 of Pub. L. 103-433, set out as a note under section 410aaa of this title.

§ 460ffff-2. Management plan

(a) In general

Not later than 3 years after March 12, 2019, in accordance with subsections (b) and (c), the Secretary shall develop a comprehensive plan for the long-term management of the Scenic Area.

(b) Consultation

In developing the management plan, the Secretary shall consult with—

- (1) appropriate State, Tribal, and local governmental entities, including Inyo County and the Tribe;
- (2) utilities, including Southern California Edison Company and the Los Angeles Department of Water and Power;
- (3) the Alabama Hills Stewardship Group; and
- (4) members of the public.

(c) Requirement

In accordance with this subchapter, the management plan shall include provisions for maintenance of existing public utility and other rights-of-way within the Scenic Area.

(d) Incorporation

In developing the management plan, in accordance with this section, the Secretary may allow casual use mining limited to the use of hand tools, metal detectors, hand-fed dry washers, vacuum cleaners, gold pans, small sluices, and similar items.

(e) Interim management

Pending completion of the management plan, the Secretary shall manage the Scenic Area in accordance with section 460ffff-1(b) of this title. (Pub. L. 103-433, title XIV, §1403, as added Pub. L. 116-9, title I, §1441, Mar. 12, 2019, 133 Stat. 709.)

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “Secretary” as used in this section, see section 3 of Pub. L. 103-433, set out as a note under section 410aaa of this title.

§ 460ffff-3. Land taken into trust for Lone Pine Paiute-Shoshone Reservation

(a) Trust land

(1) In general

On completion of the survey described in subsection (b), all right, title, and interest of the United States in and to the approximately 132 acres of Federal land depicted on the Map as “Lone Pine Paiute-Shoshone Reservation

Addition” shall be held in trust for the benefit of the Tribe, subject to paragraphs (2) and (3).

(2) Conditions

The land described in paragraph (1) shall be subject to all easements, covenants, conditions, restrictions, withdrawals, and other matters of record in existence on March 12, 2019.

(3) Exclusion

The Federal land over which the right-of-way for the Los Angeles Aqueduct is located, generally described as the 250-foot-wide right-of-way granted to the City of Los Angeles pursuant to the Act of June 30, 1906 (34 Stat. 801, chapter 3926), shall not be taken into trust for the Tribe.

(b) Survey

Not later than 180 days after March 12, 2019, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land to be held in trust under subsection (a)(1).

(c) Reservation land

The land held in trust pursuant to subsection (a)(1) shall be considered to be a part of the reservation of the Tribe.

(d) Gaming prohibition

Land held in trust under subsection (a)(1) shall not be eligible, or considered to have been taken into trust, for gaming (within the meaning of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)).

(Pub. L. 103-433, title XIV, §1404, as added Pub. L. 116-9, title I, §1441, Mar. 12, 2019, 133 Stat. 709.)

Editorial Notes

REFERENCES IN TEXT

The Act of June 30, 1906, referred to in subsec. (a)(3), is act June 30, 1906, ch. 3926, 34 Stat. 801, which is not classified to the Code.

The Indian Gaming Regulatory Act, referred to in subsec. (d), is Pub. L. 100-497, Oct. 17, 1988, 102 Stat. 2467, as amended, which is classified principally to chapter 29 (§2701 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of Title 31, Money and Finance, and Tables.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “Secretary” as used in this section, see section 3 of Pub. L. 103-433, set out as a note under section 410aaa of this title.

§ 460ffff-4. Transfer of administrative jurisdiction

Administrative jurisdiction over the approximately 56 acres of Federal land depicted on the Map as “USFS Transfer to BLM” is transferred from the Forest Service to the Bureau of Land Management.

(Pub. L. 103-433, title XIV, §1405, as added Pub. L. 116-9, title I, §1441, Mar. 12, 2019, 133 Stat. 710.)

§ 460ffff-5. Protection of services and recreational opportunities

(a) Effect of subchapter

Nothing in this subchapter limits commercial services for existing or historic recreation uses, as authorized by the permit process of the Bureau of Land Management.

(b) Guided recreational opportunities

Commercial permits to exercise guided recreational opportunities for the public that are authorized as of March 12, 2019, may continue to be authorized.

(Pub. L. 103-433, title XIV, §1406, as added Pub. L. 116-9, title I, §1441, Mar. 12, 2019, 133 Stat. 710.)

SUBCHAPTER CXLIV—NUMU NEWE
SPECIAL MANAGEMENT AREA

§ 460gggg. Numu Newe Special Management Area

(a) Definitions

In this section:

(1) Management plan

The term “management plan” means the management plan for the Special Management Area developed under subsection (d).

(2) Secretary

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

(3) Special Management Area

The term “Special Management Area” means the Numu Newe Special Management Area established by subsection (b).

(b) Establishment

To protect, conserve, and enhance the unique and nationally important historic, cultural, archaeological, natural, and educational resources of the Numu Newe traditional homeland, subject to valid existing rights, there is established in Churchill and Mineral Counties, Nevada, the Numu Newe Special Management Area, to be administered by the Secretary.

(c) Area included

The Special Management Area shall consist of the approximately 209,181 acres of public land in Churchill and Mineral Counties, Nevada, administered by the Bureau of Land Management, as depicted on the map entitled “Churchill County Proposed Fallon Range Training Complex Modernization and Lands Bill” and dated November 30, 2022.

(d) Management plan

(1) In general

Not later than 2 years after December 23, 2022, the Secretary shall develop a comprehensive management plan for the long-term management of the Special Management Area.

(2) Consultation

In developing and implementing the management plan, the Secretary shall consult with—

- (A) appropriate Federal, Tribal, State, and local governmental entities; and
- (B) interested members of the public.

(3) Requirements

The management plan shall—

(A) describe the appropriate uses of the Special Management Area;

(B) with respect to any land within the Special Management Area that is withdrawn and reserved for military uses, ensure that management of the Special Management Area is consistent with the purposes under section 2981(c)(2) of the Military Land Withdrawals Act of 2013 (as added by section 2901 of this title) for which the land is withdrawn and reserved;

(C) authorize the use of motor vehicles in the Special Management Area, where appropriate, including providing for the maintenance of existing roads;

(D) incorporate any provision of an applicable land and resource management plan that the Secretary considers to be appropriate;

(E) ensure, to the maximum extent practicable, the protection and preservation of traditional cultural and religious sites within the Special Management Area;

(F) to the maximum extent practicable, carefully and fully integrate the traditional and historical knowledge and special expertise of the Fallon Paiute Shoshone Tribe and other affected Indian tribes;

(G) consistent with subparagraph (D), ensure public access to Federal land within the Special Management Area for hunting, fishing, and other recreational purposes;

(H) not affect the allocation, ownership, interest, or control, as in existence on December 23, 2022, of any water, water right, or any other valid existing right; and

(I) be reviewed not less frequently than annually by the Secretary to ensure the management plan is meeting the requirements of this section.

(e) Military overflights

Nothing in this section restricts or precludes—

(1) low-level overflights of military aircraft over the Special Management Area, including military overflights that can be seen or heard within the Special Management Area;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the Special Management Area.

(Pub. L. 117-263, div. B, title XXIX, §2902, Dec. 23, 2022, 136 Stat. 3033; Pub. L. 118-31, div. B, title XXVIII, §2883(a), Dec. 22, 2023, 137 Stat. 782.)

Editorial Notes

REFERENCES IN TEXT

Section 2981(c)(2) of the Military Land Withdrawals Act of 2013 (as added by section 2901 of this title), referred to in subsec. (d)(3)(B), is section 2981(c)(2) of title XXIX of div. B of Pub. L. 113-66, as added by Pub. L. 117-263, div. B, title XXIX, §2901, Dec. 23, 2022, 136 Stat. 3016, which is not classified to the Code.

AMENDMENTS

2023—Subsec. (c). Pub. L. 118-31 substituted “209,181 acres” for “217,845 acres”.