

as the ‘Spring Mountains National Recreation Area Act’.”

§ 460hhh-1. Purposes

The purposes of this subchapter are to—

- (1) preserve scenic, scientific, historic, cultural, natural, wilderness, watershed, riparian, wildlife, threatened and endangered species, and other values contributing to public enjoyment and biological diversity in the Spring Mountains of Nevada;
- (2) ensure appropriate conservation and management of natural and recreation resources in the Spring Mountains; and
- (3) provide for the development of public recreation opportunities in the Spring Mountains for the enjoyment of present and future generations.

(Pub. L. 103-63, §3, Aug. 4, 1993, 107 Stat. 297.)

§ 460hhh-2. Establishment

(a) In general

Subject to valid existing rights, there is established the Spring Mountains National Recreation Area in Nevada.

(b) Boundaries and map

The Recreation Area shall consist of approximately 316,000 acres of federally owned lands and interests therein in the Toiyabe National Forest, as generally depicted on a map entitled “Spring Mountain National Recreation Area—Proposed”, numbered NV-CH, and dated August 2, 1992.

(c) Map filing

As soon as practicable after August 4, 1993, the Secretary shall file a map of the Recreation Area with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(d) Public inspection

The map shall be on file and available for public inspection in the offices of the Chief of the Forest Service, Department of Agriculture.

(e) Discrepancies

In the case of any discrepancy between or among the acreage referred to in subsection (b) and the map described in subsection (b), the map described in subsection (b) shall control any question concerning the boundaries of the Recreation Area.

(Pub. L. 103-63, §4, Aug. 4, 1993, 107 Stat. 297.)

§ 460hhh-3. Management

(a) In general

The Secretary, acting through the Chief of the Forest Service, shall manage the Recreation Area in accordance with the laws, rules, and regulations pertaining to the National Forest System and this subchapter to provide for—

- (1) the conservation of scenic, scientific, historic, cultural, and other values contributing to public enjoyment;
- (2) the conservation of fish and wildlife populations and habitat, including the use of prescribed fire to improve or maintain habitat;

(3) the protection of watersheds and the maintenance of free flowing streams and the quality of ground and surface waters in accordance with applicable law;

(4) public outdoor recreation benefits, including, but not limited to, hunting, fishing, trapping, hiking, horseback riding, backpacking, rock climbing, camping, and nature study;

(5) wilderness areas as designated by Congress; and

(6) the management and use of natural resources in a manner compatible with the purposes for which the Recreation Area is established.

(b) Hunting, trapping, and fishing

(1) In general

Subject to paragraph (2), the Secretary shall permit hunting, trapping, fishing, and habitat management within the Recreation Area in accordance with the laws of the United States and the State of Nevada.

(2) Exceptions

The Secretary, in consultation with the Nevada Department of Wildlife, may designate zones where and periods when hunting, trapping, or fishing shall not be permitted for reasons of public safety, administration, or public use and enjoyment.

(c) Grazing

The grazing of livestock on Federal lands may be permitted to continue pursuant to Federal law and subject to such reasonable regulations, policies, and practices as the Secretary considers necessary.

(d) Preventive measures

Nothing in this subchapter shall preclude such reasonable measures as the Secretary considers necessary to protect the land and resources from fire or insect or disease infestation in the Recreation Area.

(Pub. L. 103-63, §5, Aug. 4, 1993, 107 Stat. 298.)

§ 460hhh-4. Management plan

(a) In general

(1) Procedures

Not later than 3 full fiscal years after August 4, 1993, the Secretary shall develop a general management plan for the Recreation Area as an amendment to the Toiyabe National Forest Land and Resource Management Plan. Such an amendment shall reflect the establishment of the Recreation Area and be consistent with the provisions of this subchapter, except that nothing in this subchapter shall require the Secretary to revise the Toiyabe National Forest Land and Resource Management Plan pursuant to section 1604 of this title. The provisions of the national forest land and resource management plan relating to the recreation¹ area¹ shall also be available to the public in a document separate from the rest of the forest plan.

¹ So in original. Probably should be capitalized.

(2) Contents

The management plan described in paragraph (1) shall be developed with full public participation and shall include—

(A) implementation plans for a continuing program of interpretation and public education about the resources and values of the Recreation Area;

(B) proposals for public facilities to be developed, expanded, or improved for the Recreation Area, including one or more visitor centers to accommodate both local and out-of-State visitors;

(C) plans for the management of natural and cultural resources in the Recreation Area, with emphasis on the preservation and long-term scientific use of archaeological resources, with priority in development given to the enforcement of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act² within the Recreation Area;

(D) wildlife and fish resource management plans for the Recreation Area prepared in consultation with appropriate departments of the State of Nevada and using other available studies of the Recreation Area;

(E) recreation management plans for the Recreation Area in consultation with appropriate departments of the State of Nevada;

(F) wild horse and burro herd management plans for the Recreation Area prepared in consultation with appropriate departments and commissions of the State of Nevada; and

(G) an inventory of all lands within the Recreation Area not presently managed as National Forest lands that will permit the Secretary to evaluate possible future acquisitions.

(3) Consultation

The plans for the management of natural and cultural resources described in paragraph (2)(C) shall be prepared in consultation with the Advisory Council on Historic Preservation established by chapter 3041 of title 54 and the Nevada State Department of Conservation and Natural Resources, Division of Historic Preservation and Archaeology.

(b) Wilderness study areas**(1) Recommendations**

The general management plan for the Recreation Area shall include the recommendations of the Bureau of Land Management as to the suitability or unsuitability for preservation as wilderness those lands within the Recreation Area identified as the Mt. Stirling, La Madre Mountains, and Pine Creek Wilderness Study Areas on the Bureau of Land Management Wilderness Status Map, dated March 1990.

(2) Management

Pending submission of a recommendation and until otherwise directed by Act of Congress, the Secretary, acting through the Chief of the Forest Service, shall manage the lands and waters within the wilderness study areas

referred to in paragraph (1) so as to maintain their potential for inclusion within the National Wilderness Preservation System.

(Pub. L. 103-63, § 6, Aug. 4, 1993, 107 Stat. 298.)

Editorial Notes

REFERENCES IN TEXT

The Archaeological Resources Protection Act of 1979, referred to in subsec. (a)(2)(C), is Pub. L. 96-95, Oct. 31, 1979, 93 Stat. 721, which is classified generally to chapter 1B (§ 470aa et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 470aa of this title and Tables.

The National Historic Preservation Act, referred to in subsec. (a)(2)(C), is Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, which was classified generally to subchapter II (§ 470 et seq.) of chapter 1A of this title. The Act, except for section 1, was repealed and restated in division A (§ 300101 et seq.) of subtitle III of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§ 3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272. For complete classification of this Act to the Code, see Tables. For disposition of former sections of this title, see Disposition Table preceding section 100101 of Title 54.

CODIFICATION

In subsec. (a)(3), “chapter 3041 of title 54” substituted for “title II of the National Historic Preservation Act (16 U.S.C. 470i et seq.)” on authority of Pub. L. 113-287, § 6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs.

§ 460hhh-5. Acquisition of lands**(a) In general**

The Secretary is authorized to acquire lands and interests therein within the boundaries of the Recreation Area by donation, purchase with donated or appropriated funds, exchange, or transfer from another Federal agency, except that such lands or interests owned by the State of Nevada or a political subdivision thereof may be acquired only by donation or exchange.

(b) Incorporation of acquired lands

Any lands, waters, or interests in lands or interests therein located within the Recreation Area that are acquired by the United States or administratively transferred to the Secretary after August 4, 1993, shall be incorporated into the Recreation Area and managed in accordance with the laws, rules, and regulations applicable to the National Forest System and the provisions of this subchapter.

(c) Land and Water Conservation Fund

For purposes of section 100506 of title 54, where such boundaries are established for units of the National Forest System, such established boundaries shall be treated as if they were the boundaries of the National Forests as of January 1, 1965. Money appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands and interests therein in furtherance of the purposes of this subchapter.

(Pub. L. 103-63, § 7, Aug. 4, 1993, 107 Stat. 300; Pub. L. 113-287, § 5(d)(3), Dec. 19, 2014, 128 Stat. 3264.)

Editorial Notes

AMENDMENTS

2014—Subsec. (c). Pub. L. 113-287, which directed substitution of “section 100506 of title 54” for “section

² See References in Text note below.