

**(B) Limitations****(i) Regulations**

The Secretary may designate by regulation areas in which, and establish periods during which, no hunting, fishing, or trapping will be permitted in the Conservation Area, for reasons of public safety, administration, or compliance with applicable laws.

**(ii) Consultation required**

Except in an emergency, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under clause (i).

**(8) Grazing**

In the case of land included in the Conservation Area on which the Secretary permitted, as of December 23, 2022, livestock grazing, the livestock grazing shall be allowed to continue, subject to applicable laws (including regulations).

**(9) No buffer zones****(A) In general**

Nothing in this section creates a protective perimeter or buffer zone around the Conservation Area.

**(B) Activities outside Conservation Area**

The fact that an activity or use on land outside the Conservation Area can be seen or heard within the Conservation Area shall not preclude the activity or use outside the boundary of the Conservation Area.

**(10)<sup>1</sup> Military overflights**

Nothing in this section restricts or precludes—

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

(B) flight testing and evaluation; or

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

**(10)<sup>1</sup> Effect on water rights**

Nothing in this section constitutes an express or implied reservation of any water rights with respect to the Conservation Area.

(Pub. L. 117-263, div. B, title XXIX, § 2903(a), Dec. 23, 2022, 136 Stat. 3034.)

**Editorial Notes**

## REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in par. (3)(A)(i)(II), 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.

SUBCHAPTER CXLVI—PISTONE-BLACK MOUNTAIN NATIONAL CONSERVATION AREA

§ 460iii. Pistone-Black Mountain National Conservation Area

**(1) Definitions**

In this section:

**(A) Conservation Area**

The term “Conservation Area” means the Pistone-Black Mountain National Conservation Area established by paragraph (2)(A).

**(B) Secretary**

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

**(C) Tribe**

The term “Tribe” means the Walker River Paiute Tribe.

**(2) Establishment****(A) In general**

To protect, conserve, and enhance the unique and nationally important historic, cultural, archaeological, natural, and educational resources of the Pistone Site on Black Mountain, subject to valid existing rights, there is established in Mineral County, Nevada, the Pistone-Black Mountain National Conservation Area.

**(B) Area included****(i) In general**

The Conservation Area shall consist of the approximately 3,415 acres of public land in Mineral County, Nevada, administered by the Bureau of Land Management, as depicted on the map entitled “Black Mountain/Pistone Archaeological District” and dated May 12, 2020.

**(ii) Availability of map**

The map described in clause (i) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

**(3) Management****(A) In general**

The Secretary shall manage the Conservation Area—

(i) in a manner that conserves, protects, and enhances the resources and values of the Conservation Area, including the resources and values described in paragraph (2)(A);

(ii) in accordance with—

(I) this section;

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

(III) any other applicable law; and

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

**(B) Uses**

The Secretary shall allow only those uses of the Conservation Area that the Secretary determines would further the purposes of the Conservation Area.

**(C) Tribal cultural resources**

In administering the Conservation Area, the Secretary shall provide for—

(i) access to and use of cultural resources by the Tribe at the Conservation Area; and

(ii) the protection from disturbance of the cultural resources and burial sites of the Tribe located in the Conservation Area.

**(D) Cooperative agreements**

The Secretary may, in a manner consistent with this section, enter into cooperative

<sup>1</sup> So in original. Two pars. (10) have been enacted.

agreements with the State of Nevada, affected Indian tribes, and institutions and organizations to carry out the purposes of this section, subject to the requirement that the Tribe shall be a party to any cooperative agreement entered into under this subparagraph.

#### (4) Management plan

##### (A) In general

Not later than 2 years after December 23, 2022, the Secretary shall develop a management plan for the Conservation Area.

##### (B) Consultation

In developing the management plan required under subparagraph (A), the Secretary shall consult with—

- (i) appropriate State, Tribal, and local governmental entities; and
- (ii) members of the public.

##### (C) Requirements

The management plan developed under subparagraph (A) shall—

- (i) describe the appropriate uses and management of the Conservation Area;
- (ii) incorporate, as appropriate, decisions contained in any other management or activity plan for the land in or adjacent to the Conservation Area;
- (iii) take into consideration any information developed in studies of the land and resources in or adjacent to the Conservation Area; and
- (iv) provide for a cooperative agreement with the Tribe to address the historical, archaeological, and cultural values of the Conservation Area.

#### (5) Withdrawal

##### (A) In general

Subject to valid existing rights, all public land in the Conservation Area is withdrawn from—

- (i) all forms of entry, appropriation, and disposal under the public land laws;
- (ii) location, entry, and patent under the mining laws; and
- (iii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

##### (B) Additional land

If the Secretary acquires mineral or other interests in a parcel of land within the Conservation Area after December 23, 2022, the parcel is withdrawn from operation of the laws referred to in subparagraph (A) on the date of acquisition of the parcel.

#### (6) Hunting, fishing, and trapping

##### (A) In general

Subject to subparagraph (B), nothing in this section affects the jurisdiction of the State of Nevada with respect to fish and wildlife, including hunting, fishing, and trapping in the Conservation Area.

##### (B) Limitations

###### (i) Regulations

The Secretary may designate by regulation areas in which, and establish periods

during which, no hunting, fishing, or trapping will be permitted in the Conservation Area, for reasons of public safety, administration, or compliance with applicable laws.

###### (ii) Consultation required

Except in an emergency, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under clause (i).

#### (7) Grazing

In the case of land included in the Conservation Area on which the Secretary permitted, as of December 23, 2022, livestock grazing, the livestock grazing shall be allowed to continue, subject to applicable laws (including regulations).

#### (8) No buffer zones

##### (A) In general

Nothing in this section creates a protective perimeter or buffer zone around the Conservation Area.

##### (B) Activities outside Conservation Area

The fact that an activity or use on land outside the Conservation Area can be seen or heard within the Conservation Area shall not preclude the activity or use outside the boundary of the Conservation Area.

#### (9) Military overflights

Nothing in this section restricts or precludes—

- (A) low-level overflights of military aircraft over the Conservation Area, including military overflights that can be seen or heard within the Conservation Area;
- (B) flight testing and evaluation; or
- (C) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the Conservation Area.

#### (10) Effect on water rights

Nothing in this section constitutes an express or implied reservation of any water rights with respect to the Conservation Area.

(Pub. L. 117-263, div. B, title XXIX, §2903(b), Dec. 23, 2022, 136 Stat. 3037.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in par. (3)(A)(ii)(II), 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.

### CHAPTER 1A—HISTORIC SITES, BUILDINGS, OBJECTS, AND ANTIQUITIES

#### SUBCHAPTER I—GENERAL PROVISIONS

Sec.

461 to 469c-2. Repealed or Omitted.

469d. Ice Age National Scientific Reserve; statement of purpose.

469e. Plan for continental glaciation.

469f. Repealed.

469g. Ice Age National Scientific Reserve; recommendations for Federal and State participation in financing public facilities and services.