

- (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 consist of 10 members to be appointed by the Secretary including, to the extent practicable:

- (1) A member of or nominated by the Mesa County Commission.
- (2) A member nominated by the permittees holding grazing allotments within the Conservation Area or the Wilderness.
- (3) A member of or nominated by the Northwest Resource Advisory Council.
- (4) Seven members residing in, or within reasonable proximity to, Mesa County, Colorado, with recognized backgrounds reflecting—
 - (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 the Wilderness.

(Pub. L. 106-353, §8, Oct. 24, 2000, 114 Stat. 1379; Pub. L. 108-400, §1(d), Oct. 30, 2004, 118 Stat. 2254; Pub. L. 117-286, §4(a)(95), 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.)”.

2004—Subsec. (a). Pub. L. 108-400 substituted “McInnis Canyons” for “Colorado Canyons”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-400 effective Jan. 1, 2005, see section 1(g) of Pub. L. 108-400, set out as a note under section 460mmm of this title.

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by Congress, its duration is otherwise provided by law. See sections 1001(2) and 1013 of Title 5, Government Organization and Employees.

§ 460mmm-7. Public access

(a) In general

The Secretary shall continue to allow private landowners reasonable access to inholdings in the Conservation Area and Wilderness.

(b) Glade Park

The Secretary shall continue to allow public right of access, including commercial vehicles,

to Glade Park, Colorado, in accordance with the decision in *Board of County Commissioners of Mesa County v. Watt* (634 F. Supp. 1265 (D.Colo.; May 2, 1986)).

(Pub. L. 106-353, §9, Oct. 24, 2000, 114 Stat. 1380.)

SUBCHAPTER CXXV—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

§ 460nnn. Definitions

In this subchapter:

(1) Advisory council

The term “advisory council” means the Steens Mountain Advisory Council established by part D.¹

(2) Cooperative management agreement

An agreement to plan or implement (or both) cooperative recreation, ecological, grazing, fishery, vegetation, prescribed fire, cultural site protection, wildfire or other measures to beneficially meet public use needs and the public land and private land objectives of this subchapter.

(3) Cooperative Management and Protection Area

The term “Cooperative Management and Protection Area” means the Steens Mountain Cooperative Management and Protection Area designated by part A.

(4) Easements

(A) Conservation easement

The term “conservation easement” means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area under which the landowner, permanently or during a time period specified in the agreement, agrees to conserve or restore habitat, open space, scenic, or other ecological resource values on the land covered by the easement.

(B) Nondevelopment easement

The term “nondevelopment easement” means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area that will, permanently or during a time period specified in the agreement—

- (i) prevent or restrict development on the land covered by the easement; or
- (ii) protect open space or viewshed.

(5) Ecological integrity

The term “ecological integrity” means a landscape where ecological processes are functioning to maintain the structure, composition, activity, and resilience of the landscape over time, including—

- (A) a complex of plant communities, habitats and conditions representative of variable and sustainable successional conditions; and
- (B) the maintenance of biological diversity, soil fertility, and genetic interchange.

¹ See References in Text note below.