

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, known as the Steens Mountain Cooperative Management and Protection Act of 2000, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-3. Protection of tribal rights

Nothing in this subchapter shall be construed to diminish the rights of any Indian tribe. Nothing in this subchapter shall be construed to diminish tribal rights, including those of the Burns Paiute Tribe, regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities.

(Pub. L. 106-399, §5, Oct. 30, 2000, 114 Stat. 1658.)

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PART A—STEENS MOUNTAIN COOPERATIVE
MANAGEMENT AND PROTECTION AREA

SUBPART 1—DESIGNATION AND PURPOSES

§ 460nnn-11. Designation of Steens Mountain Cooperative Management and Protection Area**(a) Designation**

The Secretary shall designate the Steens Mountain Cooperative Management and Protection Area consisting of approximately 425,550 acres of Federal land located in Harney County, Oregon, in the vicinity of Steens Mountain, as generally depicted on the map entitled “Steens Mountain Boundary Map” and dated September 18, 2000.

(b) Contents of map

In addition to the general boundaries of the Cooperative Management and Protection Area, the map referred to in subsection (a) also depicts the general boundaries of the following:

- (1) The no livestock grazing area described in section 460nnn-23(e) of this title.
- (2) The mineral withdrawal area designated by part D.
- (3) The wildlands juniper management area established by part E.

(Pub. L. 106-399, title I, §101, Oct. 30, 2000, 114 Stat. 1658.)

§ 460nnn-12. Purpose and objectives of Cooperative Management and Protection Area**(a) Purpose**

The purpose of the Cooperative Management and Protection Area is to conserve, protect, and

manage the long-term ecological integrity of Steens Mountain for future and present generations.

(b) Objectives

To further the purpose specified in subsection (a), and consistent with such purpose, the Secretary shall manage the Cooperative Management and Protection Area for the benefit of present and future generations—

(1) to maintain and enhance cooperative and innovative management projects, programs and agreements between tribal, public, and private interests in the Cooperative Management and Protection Area;

(2) to promote grazing, recreation, historic, and other uses that are sustainable;

(3) to conserve, protect and to ensure traditional access to cultural, gathering, religious, and archaeological sites by the Burns Paiute Tribe on Federal lands and to promote cooperation with private landowners;

(4) to ensure the conservation, protection, and improved management of the ecological, social, and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources; and

(5) to promote and foster cooperation, communication, and understanding and to reduce conflict between Steens Mountain users and interests.

(Pub. L. 106-399, title I, §102, Oct. 30, 2000, 114 Stat. 1658.)

SUBPART 2—MANAGEMENT OF FEDERAL LANDS

§ 460nnn-21. Management authorities and purposes**(a) In general**

The Secretary shall manage all Federal lands included in the Cooperative Management and Protection Area pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable provisions of law, including this subchapter, in a manner that—

(1) ensures the conservation, protection, and improved management of the ecological, social and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources, North American Indian tribal and cultural and archaeological resource sites, and additional cultural and historic sites; and

(2) recognizes and allows current and historic recreational use.

(b) Management plan

Within 4 years after October 30, 2000, the Secretary shall develop a comprehensive plan for the long-range protection and management of the Federal lands included in the Cooperative Management and Protection Area, including the Wilderness Area. The plan shall—

(1) describe the appropriate uses and management of the Cooperative Management and Protection Area consistent with this subchapter;

(2) incorporate, as appropriate, decisions contained in any current or future manage-

ment or activity plan for the Cooperative Management and Protection Area and use information developed in previous studies of the lands within or adjacent to the Cooperative Management and Protection Area;

(3) provide for coordination with State, county, and private local landowners and the Burns Paiute Tribe; and

(4) determine measurable and achievable management objectives, consistent with the management objectives in section 460nnn-12 of this title, to ensure the ecological integrity of the area.

(c) Monitoring

The Secretary shall implement a monitoring program for Federal lands in the Cooperative Management and Protection Area so that progress towards ecological integrity objectives can be determined.

(Pub. L. 106-399, title I, §111, Oct. 30, 2000, 114 Stat. 1659.)

Editorial Notes

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsec. (a), 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.

This subchapter, referred to in subsecs. (a) and (b)(1), was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, known as the Steens Mountain Cooperative Management and Protection Act of 2000, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-22. Roads and travel access

(a) Transportation plan

The management plan shall include, as an integral part, a comprehensive transportation plan for the Federal lands included in the Cooperative Management and Protection Area, which shall address the maintenance, improvement, and closure of roads and trails as well as travel access.

(b) Prohibition on off-road motorized travel

(1) Prohibition

The use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area—

(A) is prohibited off road; and

(B) is limited to such roads and trails as may be designated for their use as part of the management plan.

(2) Exceptions

Paragraph (1) does not prohibit the use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area if the Secretary determines that such use—

(A) is needed for administrative purposes or to respond to an emergency; or

(B) is appropriate for the construction or maintenance of agricultural facilities, fish

and wildlife management, or ecological restoration projects, except in areas designated as wilderness or managed under the provisions of section 1782(c) of title 43.

(c) Road closures

Any determination to permanently close an existing road in the Cooperative Management and Protection Area or to restrict the access of motorized or mechanized vehicles on certain roads shall be made in consultation with the advisory council and the public.

(d) Prohibition on new construction

(1) Prohibition, exception

No new road or trail for motorized or mechanized vehicles may be constructed on Federal lands in the Cooperative Management and Protection Area unless the Secretary determines that the road or trail is necessary for public safety or protection of the environment. Any determination under this subsection shall be made in consultation with the advisory council and the public.

(2) Trails

Nothing in this subsection is intended to limit the authority of the Secretary to construct or maintain trails for nonmotorized or nonmechanized use.

(e) Access to nonfederally owned lands

(1) Reasonable access

The Secretary shall provide reasonable access to nonfederally owned lands or interests in land within the boundaries of the Cooperative Management and Protection Area and the Wilderness Area to provide the owner of the land or interest the reasonable use thereof.

(2) Effect on existing rights-of-way

Nothing in this subchapter shall have the effect of terminating any valid existing right-of-way on Federal lands included in the Cooperative Management and Protection Area.

(Pub. L. 106-399, title I, §112, Oct. 30, 2000, 114 Stat. 1660.)

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REFERENCES IN TEXT

This subchapter, referred to in subsec. (e)(2), was in the original “this Act”, meaning Pub. L. 106-399, Oct. 30, 2000, 114 Stat. 1655, known as the Steens Mountain Cooperative Management and Protection Act of 2000, which is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 460nnn of this title and Tables.

§ 460nnn-23. Land use authorities

(a) In general

The Secretary shall allow only such uses of the Federal lands included in the Cooperative Management and Protection Area as the Secretary finds will further the purposes for which the Cooperative Management and Protection Area is established.

(b) Commercial timber

(1) Prohibition

The Federal lands included in the Cooperative Management and Protection Area shall