

- (A) subject to—
 - (i) such reasonable regulations, policies, and practices as the Secretary considers necessary; and
 - (ii) applicable law; and
- (B) in a manner consistent with the purposes described in subsection (a).

(5) Wildland fire operations

Nothing in this section prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the National Conservation Area, consistent with the purposes of this section.

(f) Incorporation of acquired land and interests

Any land or interest in land that is located in the National Conservation Area that is acquired by the United States shall—

- (1) become part of the National Conservation Area; and
- (2) be managed in accordance with—
 - (A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);
 - (B) this section; and
 - (C) any other applicable law (including regulations).

(g) Withdrawal

(1) In general

Subject to valid existing rights, all Federal land located in the National Conservation Area are¹ withdrawn from—

- (A) all forms of entry, appropriation, and disposal under the public land laws;
- (B) location, entry, and patenting under the mining laws; and
- (C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) Additional land

If the Secretary acquires additional land that is located in the National Conservation Area after March 30, 2009, the land is withdrawn from operation of the laws referred to in paragraph (1) on the date of acquisition of the land.

(h) Effect

Nothing in this section prohibits the authorization of the development of utilities within the National Conservation Area if the development is carried out in accordance with—

- (1) each utility development protocol described in the habitat conservation plan; and
- (2) any other applicable law (including regulations).

(Pub. L. 111-11, title I, §1974, Mar. 30, 2009, 123 Stat. 1081.)

Editorial Notes

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsecs. (e)(1)(B)(i) and (f)(2)(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.

¹ So in original. Probably should be “is”.

Statutory Notes and Related Subsidiaries

DEFINITIONS

Pub. L. 111-11, title I, §1971, Mar. 30, 2009, 123 Stat. 1075, as amended by Pub. L. 111-88, div. A, title IV, §436, Oct. 30, 2009, 123 Stat. 2965, provided that: “In this subtitle [subtitle O (§§1971-1983) of title I of Pub. L. 111-11, enacting this subchapter, subchapter CXXXV of this chapter, and section 346a-6 of this title, amending section 1274 of this title, enacting provisions set out as notes under section 1274 of this title and provisions formerly set out as a note under section 766 of Title 25, Indians, and enacting provisions listed in a table of Wilderness Areas set out under section 1132 of this title]:

“(1) BEAVER DAM WASH NATIONAL CONSERVATION AREA MAP.—The term ‘Beaver Dam Wash National Conservation Area Map’ means the map entitled ‘Beaver Dam Wash National Conservation Area’ and dated September 20, 2009.

“(2) CANAAN MOUNTAIN WILDERNESS MAP.—The term ‘Canaan Mountain Wilderness Map’ means the map entitled ‘Canaan Mountain Wilderness’ and dated June 21, 2008.

“(3) COUNTY.—The term ‘County’ means Washington County, Utah.

“(4) NORTHEASTERN WASHINGTON COUNTY WILDERNESS MAP.—The term ‘Northeastern Washington County Wilderness Map’ means the map entitled ‘Northeastern Washington County Wilderness’ and dated November 12, 2008.

“(5) NORTHWESTERN WASHINGTON COUNTY WILDERNESS MAP.—The term ‘Northwestern Washington County Wilderness Map’ means the map entitled ‘Northwestern Washington County Wilderness’ and dated June 21, 2008.

“(6) RED CLIFFS NATIONAL CONSERVATION AREA MAP.—The term ‘Red Cliffs National Conservation Area Map’ means the map entitled ‘Red Cliffs National Conservation Area’ and dated November 12, 2008.

“(7) SECRETARY.—The term ‘Secretary’ means—

- “(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and
- “(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

“(8) STATE.—The term ‘State’ means the State of Utah.

“(9) WASHINGTON COUNTY GROWTH AND CONSERVATION ACT MAP.—The term ‘Washington County Growth and Conservation Act Map’ means the map entitled ‘Washington County Growth and Conservation Act Map’ and dated November 13, 2008.”

SUBCHAPTER CXXXV—BEAVER DAM WASH NATIONAL CONSERVATION AREA

§ 460xxx. Beaver Dam Wash National Conservation Area

(a) Purpose

The purpose of this section is to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the Beaver Dam Wash National Conservation Area.

(b) Definitions

In this section:

(1) Management plan

The term “management plan” means the management plan for the National Conservation Area developed by the Secretary under subsection (d)(1).

(2) National Conservation Area

The term “National Conservation Area” means the Beaver Dam Wash National Conservation Area that—

(A) consists of approximately 68,083 acres of public land in the County, as generally depicted on the Beaver Dam Wash National Conservation Area Map; and

(B) is established by subsection (c).

(c) Establishment

Subject to valid existing rights, there is established in the State the Beaver Dam Wash National Conservation Area.

(d) Management plan**(1) In general**

Not later than 3 years after March 30, 2009, and in accordance with paragraph (2), the Secretary shall develop a comprehensive plan for the long-term management of the National Conservation Area.

(2) Consultation

In developing the management plan required under paragraph (1), the Secretary shall consult with—

(A) appropriate State, tribal, and local governmental entities; and

(B) members of the public.

(3) Motorized vehicles

In developing the management plan required under paragraph (1), the Secretary shall incorporate the restrictions on motorized vehicles described in subsection (e)(3).

(e) Management**(1) In general**

The Secretary shall manage the National Conservation Area—

(A) in a manner that conserves, protects, and enhances the resources of the National Conservation Area; and

(B) in accordance with—

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

(ii) this section; and

(iii) any other applicable law (including regulations).

(2) Uses

The Secretary shall only allow uses of the National Conservation Area that the Secretary determines would further the purpose described in subsection (a).

(3) Motorized vehicles**(A) In general**

Except in cases in which motorized vehicles are needed for administrative purposes, or to respond to an emergency, the use of motorized vehicles in the National Conservation Area shall be permitted only on roads designated by the management plan for the use of motorized vehicles.

(B) Additional requirement relating to certain areas located in the National Conservation Area

In addition to the requirement described in subparagraph (A), with respect to the

areas designated on the Beaver Dam Wash National Conservation Area Map as “Designated Road Areas”, motorized vehicles shall be permitted only on the roads identified on such map.

(4) Grazing

The grazing of livestock in the National Conservation Area, where established before March 30, 2009, shall be permitted to continue—

(A) subject to—

(i) such reasonable regulations, policies, and practices as the Secretary considers necessary; and

(ii) applicable law (including regulations); and

(B) in a manner consistent with the purpose described in subsection (a).

(5) Wildland fire operations

Nothing in this section prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the National Conservation Area, consistent with the purposes of this section.

(f) Incorporation of acquired land and interests

Any land or interest in land that is located in the National Conservation Area that is acquired by the United States shall—

(1) become part of the National Conservation Area; and

(2) be managed in accordance with—

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

(B) this section; and

(C) any other applicable law (including regulations).

(g) Withdrawal**(1) In general**

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

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patenting under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) Additional land

If the Secretary acquires additional land that is located in the National Conservation Area after March 30, 2009, the land is withdrawn from operation of the laws referred to in paragraph (1) on the date of acquisition of the land.

(Pub. L. 111–11, title I, §1975, Mar. 30, 2009, 123 Stat. 1083.)

Editorial Notes

REFERENCES IN TEXT

The Federal Land Policy and Management Act of 1976, referred to in subsecs. (e)(1)(B)(i) and (f)(2)(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.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of terms used in this section, see section 1971 of Pub. L. 111–11, set out as a note under section 460www of this title.

SUBCHAPTER CXXXVI—FORT STANTON-SNOWY RIVER CAVE NATIONAL CONSERVATION AREA

§ 460yyy. Definitions

In this subchapter:

(1) Conservation Area

The term “Conservation Area” means the Fort Stanton-Snowy River Cave National Conservation Area established by section 460yyy–1(a) of this title.

(2) Management plan

The term “management plan” means the management plan developed for the Conservation Area under section 460yyy–2(c) of this title.

(3) Secretary

The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(Pub. L. 111–11, title II, §2201, Mar. 30, 2009, 123 Stat. 1099.)

§ 460yyy–1. Establishment of the Fort Stanton-Snowy River Cave National Conservation Area**(a) Establishment; purposes**

There is established the Fort Stanton-Snowy River Cave National Conservation Area in Lincoln County, New Mexico, to protect, conserve, and enhance the unique and nationally important historic, cultural, scientific, archaeological, natural, and educational subterranean cave resources of the Fort Stanton-Snowy River cave system.

(b) Area included

The Conservation Area shall include the area within the boundaries depicted on the map entitled “Fort Stanton-Snowy River Cave National Conservation Area” and dated December 15, 2008.

(c) Map and legal description**(1) In general**

As soon as practicable after March 30, 2009, the Secretary shall submit to Congress a map and legal description of the Conservation Area.

(2) Effect

The map and legal description of the Conservation Area shall have the same force and effect as if included in this subchapter, except that the Secretary may correct any minor errors in the map and legal description.

(3) Public availability

The map and legal description of the Conservation Area shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

(Pub. L. 111–11, title II, §2202, Mar. 30, 2009, 123 Stat. 1099.)

§ 460yyy–2. Management of the Conservation Area**(a) Management****(1) In general**

The Secretary shall manage the Conservation Area—

(A) in a manner that conserves, protects, and enhances the resources and values of the Conservation Area, including the resources and values described in section 460yyy–1(a) of this title; and

(B) in accordance with—

(i) this subchapter;

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

(iii) any other applicable laws.

(2) Uses

The Secretary shall only allow uses of the Conservation Area that are consistent with the protection of the cave resources.

(3) Requirements

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

(A) the conservation and protection of the natural and unique features and environs for scientific, educational, and other appropriate public uses of the Conservation Area;

(B) public access, as appropriate, while providing for the protection of the cave resources and for public safety;

(C) the continuation of other existing uses or other new uses of the Conservation Area that do not impair the purposes for which the Conservation Area is established;

(D) management of the surface area of the Conservation Area in accordance with the Fort Stanton Area of Critical Environmental Concern Final Activity Plan dated March, 2001, or any amendments to the plan, consistent with this subchapter; and

(E) scientific investigation and research opportunities within the Conservation Area, including through partnerships with colleges, universities, schools, scientific institutions, researchers, and scientists to conduct research and provide educational and interpretive services within the Conservation Area.

(b) Withdrawals

Subject to valid existing rights, all Federal surface and subsurface land within the Conservation Area and all land and interests in the land that are acquired by the United States after March 30, 2009, for inclusion in the Conservation Area, are withdrawn from—

(1) all forms of entry, appropriation, or disposal under the general land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation under the mineral leasing and geothermal leasing laws.

(c) Management plan**(1) In general**

Not later than 2 years after March 30, 2009, the Secretary shall develop a comprehensive plan for the long-term management of the Conservation Area.