

AMENDMENT TO RULES COMMITTEE PRINT 117-

54

OFFERED BY MR. AMODEI OF NEVADA

Add at the end of division E the following new title:

1 **TITLE LIX—NORTHERN NEVADA**
2 **ECONOMIC DEVELOPMENT**
3 **Subtitle A—Fallon Range Training**
4 **Complex and Churchill County**
5 **Economic Development and**
6 **Conservation**

7 **PART 1—FALLON RANGE TRAINING COMPLEX**

8 **SEC. 5900. DEFINITIONS.**

9 In this part:

10 (1) **AFFECTED INDIAN TRIBE.**—The term “af-
11 fected Indian Tribe” means an Indian Tribe with ju-
12 risdiction over land located in the vicinity of the
13 Fallon Range Training Complex.

14 (2) **APPLICABLE CONGRESSIONAL COMMIT-**
15 **TEES.**—The term “applicable congressional commit-
16 tees” means the Committee on Energy and Natural
17 Resources of the Senate, the Committees on Armed
18 Services of the Senate and the House of Representa-

1 tives, and the Committee on Natural Resources of
2 the House of Representatives.

3 (3) COUNTY.—The term “County” means
4 Churchill County, Nevada.

5 (4) DIXIE VALLEY SPECIAL MANAGEMENT
6 AREA.—The term “Dixie Valley Special Management
7 Area” means the portion of the withdrawal lands
8 withdrawn by section 5901(a)(2).

9 (5) EXECUTIVE COMMITTEE.—The term “exec-
10 utive committee” means the intergovernmental exec-
11 utive committee described in section 5922, as ex-
12 panded pursuant to such section.

13 (6) FINAL ENVIRONMENTAL IMPACT STATE-
14 MENT.—The term “Final Environmental Impact
15 Statement” means the Final Environmental Impact
16 Statement prepared by the Department of the Navy,
17 entitled “Environmental Impact Statement: Fallon
18 Range Training Complex Modernization”, and dated
19 January 2020.

20 (7) INDIAN TRIBE.—The term “Indian Tribe”
21 has the meaning given that term in section 4 of the
22 Indian Self-Determination and Education Assistance
23 Act (25 U.S.C. 5304).

24 (8) MAP.—The term “Map” means the map en-
25 titled “Churchill County Proposed Fallon Range

1 Training Complex Modernization and Lands Bill”
2 and dated June 10, 2022.

3 (9) MEMORANDUM OF UNDERSTANDING.—The
4 term “memorandum of understanding” means the
5 memorandum of understanding entered into by the
6 Secretary of the Navy with the State, the Counties
7 of Churchill, Elko, Eureka, Lander, Lyon, Mineral,
8 Nye, and Pershing in the State, affected Indian
9 Tribes, and other interested parties pursuant to sec-
10 tion 5913.

11 (10) RECORD OF DECISION.—The term
12 “Record of Decision” means the record of decision
13 entitled “Record of Decision for the Fallon Range
14 Training Complex Modernization Final Environ-
15 mental Impact Statement” and dated March 12,
16 2020.

17 (11) SHOAL SITE.—The term “Shoal Site”
18 means the land withdrawn and reserved by Public
19 Land Order 2771 (27 Fed. Reg. 9062 (September
20 6, 1962)), as amended by Public Land Order 2834
21 (27 Fed Reg. 12219 (December 4, 1962)).

22 (12) STATE.—The term “State” means the
23 State of Nevada.

24 (13) WITHDRAWAL LANDS.—The term “with-
25 drawal lands” means the lands withdrawn and re-

1 served for the Fallon Range Training Complex by
2 section 5901.

3 **Subpart A—Withdrawal and Reservation of Lands**

4 **SEC. 5901. WITHDRAWAL AND RESERVATION OF LANDS FOR**
5 **FALLON RANGE TRAINING COMPLEX.**

6 (a) WITHDRAWAL.—

7 (1) B–16, B–17, B–19, AND B–20 RANGES.—

8 Subject to valid and existing rights, the lands estab-
9 lished as the B–16, B–17, B–19, and B–20 ranges
10 at the Fallon Range Training Complex, as depicted
11 on the Map, which are or may become subject to the
12 operation of the public land laws, are hereby with-
13 drawn from all forms of—

14 (A) entry, appropriation, or disposal under
15 the public land laws, including the Federal
16 Land Policy and Management Act of 1976 (43
17 U.S.C. 1701 et seq.);

18 (B) location, entry, and patent under the
19 mining laws; and

20 (C) disposition under all laws pertaining to
21 mineral and geothermal leasing or mineral ma-
22 terials.

23 (2) DIXIE VALLEY SPECIAL MANAGEMENT
24 AREA.—

1 (A) LIMITED WITHDRAWAL.—Subject to
2 valid and existing rights, the lands established
3 as the Dixie Valley Special Management Area
4 at the Fallon Range Training Complex, as de-
5 picted on the Map, which are or may become
6 subject to the operation of the public land laws,
7 are hereby withdrawn from all forms of loca-
8 tion, entry, and patent under the mining laws.

9 (B) EXCEPTIONS.—The lands described in
10 subparagraph (A) are not withdrawn from
11 forms of—

12 (i) entry, appropriation, or disposal
13 under the public land laws, including the
14 Federal Land Policy and Management Act
15 of 1976 (43 U.S.C. 1701 et seq.);

16 (ii) disposition under laws pertaining
17 to mineral and geothermal leasing or min-
18 eral materials; or

19 (iii) appropriation under the Act of 10
20 June 28, 1934 (commonly known as the
21 “Taylor Grazing Act”; 43 U.S.C. 315 et
22 seq.).

23 (3) EXISTING RIGHTS AND CONDITIONS.—The
24 withdrawal of lands by this subsection is subject to

1 valid existing rights and subject to the other provi-
2 sions of this part.

3 (b) RESERVATION.—

4 (1) B-16, B-17, B-19, AND B-20 RANGES.—The
5 lands withdrawn by subsection (a)(1) are reserved
6 for use by the Secretary of the Navy for testing and
7 training for aerial bombing, missile firing, and tac-
8 tical maneuvering and air support.

9 (2) DIXIE VALLEY SPECIAL MANAGEMENT
10 AREA.—

11 (A) AUTHORIZED USE.—The lands with-
12 drawn by subsection (a)(2) are available for use
13 by the Secretary of the Navy in a manner con-
14 sistent with the needs of the Navy as detailed
15 in the Record of Decision.

16 (B) ADMINISTRATIVE APPROVAL NOT RE-
17 QUIRED.—The use authorized by subparagraph
18 (A) shall not require further administrative ap-
19 proval under the Federal Land Policy and Man-
20 agement Act of 1976 (43 U.S.C. 1701 et seq.).

21 (c) WRITTEN NOTICE REQUIRED.—The Secretary of
22 the Navy and the Secretary of the Interior shall not carry
23 out any activities necessary to carry out the land with-
24 drawal and reservation made by this section until the date
25 on which the Secretaries jointly certify in writing to the

1 applicable congressional committees that the Secretary of
2 the Navy and the Secretary of the Interior have completed
3 all required financial commitments and land exchanges,
4 including the completion of all final compensation pay-
5 ments to affected persons and land exchanges—

6 (1) contained in the Record of Decision;

7 (2) required under section 5913 and the result-
8 ing memorandum of understanding; and

9 (3) required under section 5921.

10 **SEC. 5902. MAPS, ESTIMATES, AND DESCRIPTIONS.**

11 (a) **MINOR ERRORS AND ADJUSTMENTS.**—The Sec-
12 retary of the Interior, the State, and the County may, by
13 mutual agreement—

14 (1) make minor boundary adjustments to the
15 withdrawal lands; and

16 (2) correct any minor errors in the Map and in
17 any acreage estimate or description of the with-
18 drawal lands.

19 (b) **CONFLICT.**—If there is a conflict between the
20 Map, an acreage estimate, or a description of withdrawal
21 lands, the Map shall control unless the Secretary of the
22 Interior, the State, and the County mutually agree other-
23 wise.

24 (c) **AVAILABILITY.**—Copies of the Map shall be avail-
25 able for public inspection in the offices of the Nevada

1 State Director and Carson City Field Office Manager of
2 the Bureau of Land Management and the Office of the
3 Commander, Naval Air Station, Fallon, Nevada.

4 (d) REIMBURSEMENT OF CERTAIN COSTS.—The Sec-
5 retary of the Navy shall reimburse the Secretary of the
6 Interior for the costs incurred by the Secretary of the Inte-
7 rior in implementing this section.

8 **SEC. 5903. TERMINATION OF WITHDRAWAL.**

9 (a) TERMINATION DATE.—The withdrawal and res-
10 ervation of the withdrawal lands shall terminate on the
11 date that is 25 years after the date of enactment of this
12 Act.

13 (b) EFFECT OF TERMINATION.—After the termi-
14 nation date specified in subsection (a), the previously with-
15 drawn withdrawal lands shall be open to any forms of
16 entry, appropriation, or disposal under the public land
17 laws, location, entry, and patent under the mining laws,
18 and disposition under laws pertaining to mineral and geo-
19 thermal leasing or mineral materials only if the Secretary
20 of the Interior publishes in the Federal Register an appro-
21 priate order that establishes the date on which the land
22 shall be so opened.

1 **SEC. 5904. TERMINATION OF EXISTING FALLON RANGE**
2 **TRAINING COMPLEX WITHDRAWAL AND RES-**
3 **ERVATION.**

4 (a) ORIGINAL WITHDRAWAL AND RESERVATION.—
5 Except as otherwise provided in this subpart, the land
6 withdrawal and reservation made by section 3011(a) of
7 the Military Lands Withdrawal Act of 1999 (Public Law
8 106–65; 113 Stat. 885) shall terminate on the date of en-
9 actment of this Act.

10 (b) RECENT RENEWAL OF WITHDRAWAL AND RES-
11 ERVATION.—Except as otherwise provided in this subpart,
12 the renewal of the land withdrawal and reservation de-
13 scribed in subsection (a) made by section 2842 of the Mili-
14 tary Construction Authorization Act of Fiscal Year 2021
15 (division B of Public Law 116–283) shall terminate on
16 the date of enactment of this Act.

17 **Subpart B—Management and Use Requirements and**
18 **Conditions**

19 **SEC. 5905. SPECIAL RULES FOR B-16, B-17, B-19, AND B-20**
20 **RANGES.**

21 (a) ACCESS.—The Secretary of the Navy shall allow
22 and manage access to the lands withdrawn by section
23 5901(a)(1) for the following purposes:

24 (1) Administrative, cultural, educational, wild-
25 life management, and emergency management pur-
26 poses.

1 (2) Special events, including a minimum 15
2 days annually for big game hunting on the B-17
3 range.

4 (3) Regular, guaranteed access, consisting of a
5 minimum of 4 days per month, for affected Indian
6 Tribes, pursuant to a mutually agreeable memo-
7 randum of understanding entered into by the Sec-
8 retary of the Navy and the affected Indian Tribes.

9 (b) ROAD ACCESS.—The Secretary of the Navy shall
10 ensure that all roads shown on the Map as an existing
11 minor County road are available for managed access.

12 (c) RELINQUISHMENT.—Any portion of the lands
13 withdrawn by section 5901(a)(1) that is located outside
14 of the Weapons Danger Zones determined by the Sec-
15 retary of the Navy shall be relinquished to the Secretary
16 of the Interior and managed under all applicable public
17 land laws.

18 (d) TREATMENT OF BIOLOGICALLY SENSITIVE
19 AREAS.—The Secretary of the Navy shall ensure avoid-
20 ance of target placement and training within biologically
21 sensitive areas as mapped in Appendix D of the Final En-
22 vironmental Impact Statement.

1 **SEC. 5906. SPECIAL RULES FOR DIXIE VALLEY SPECIAL**
2 **MANAGEMENT AREA.**

3 (a) SECRETARY OF THE NAVY DUTIES FOR DIXIE
4 VALLEY SPECIAL MANAGEMENT AREA.—

5 (1) TRAINING RELATED.—In using the Dixie
6 Valley Special Management Area for Navy purposes,
7 as authorized by section 5901(b)(2)(A), the Sec-
8 retary of the Navy, in coordination with the Sec-
9 retary of the Interior, shall provide, to the maximum
10 extent possible, for the following:

11 (A) Installation of permanent aircraft
12 threat emitters and 2 electronic warfare train-
13 ing sites.

14 (B) Temporary aircraft threat emitters.

15 (C) Ground training and convoy training
16 that utilizes existing roads.

17 (2) ACCESS AND USE GENERALLY.—In man-
18 aging the Dixie Valley Special Management Area,
19 the Secretary of the Navy, in coordination with the
20 Secretary of the Interior, shall ensure that there is
21 no closure of an existing County road and no restric-
22 tion or curtailment on public access and recreation
23 for the duration of the withdrawal.

24 (3) AUTHORIZED USES.—In managing the
25 Dixie Valley Special Management Area, the Sec-
26 retary of the Navy, in coordination with the Sec-

1 retary of the Interior, shall provide the following ac-
2 tivities:

3 (A) Livestock grazing.

4 (B) Geothermal exploration and develop-
5 ment west of State Route 121, as managed by
6 the Bureau of Land Management in coordina-
7 tion with the Secretary of the Navy.

8 (C) Exploration and development of salable
9 minerals or other fluid or leasable minerals, as
10 managed by the Bureau of Land Management
11 in coordination with the Secretary of the Navy.

12 (4) DIXIE VALLEY WATER PROJECT.—

13 (A) CONTINUATION OF PROJECT.—The
14 withdrawal of lands as the Dixie Valley Special
15 Management Area shall not be construed to
16 interfere with the Dixie Valley Water Project of
17 the County.

18 (B) PERMITTING.—On application by the
19 County, the Secretary of the Navy shall concur
20 with the Dixie Valley Water Project of the
21 County and, in collaboration with the Secretary
22 of the Interior, complete any permitting nec-
23 essary for the Dixie Valley Water Project, sub-
24 ject to the public land laws and environmental
25 review.

1 (C) COMPENSATION.—The Secretary of
2 the Navy shall compensate the County for any
3 cost increases for the Dixie Valley Water
4 Project of the County that result from any de-
5 sign features required by the Secretary of the
6 Navy to be included in the Dixie Valley Water
7 Project.

8 (5) RIGHTS-OF-WAY.—With regard to the Dixie
9 Valley Special Management Area, the Secretary of
10 the Navy shall grant the following rights-of-way:

11 (A) A 2,640-foot-wide right-of-way imme-
12 diately west of the existing north-south
13 powerline along State Route 121 to the inter-
14 section with U.S. Highway 50, as depicted on
15 the Map, for the placement, on a nonexclusive
16 basis, of utility infrastructure.

17 (B) A 2,640-foot-wide right-of-way imme-
18 diately north of U.S. Highway 50, as depicted
19 on the Map, for the placement, on a nonexclu-
20 sive basis, of utility infrastructure.

21 (C) A 2,640-foot-wide right-of-way imme-
22 diately south of the existing east-west trans-
23 mission line across Dixie Valley, as depicted on
24 the Map, for the placement, on a nonexclusive
25 basis, of utility infrastructure.

1 (b) SECRETARY OF THE INTERIOR DUTIES FOR
2 DIXIE VALLEY SPECIAL MANAGEMENT AREA.—

3 (1) ACCESS AND USE GENERALLY.—For the
4 duration of the withdrawal of lands as the Dixie Val-
5 ley Special Management Area, the Secretary of the
6 Interior shall ensure that there is no restriction or
7 curtailment of public access to, and recreation on,
8 the lands.

9 (2) GEOTHERMAL EXPLORATION AND DEVELOP-
10 MENT.—For the duration of the withdrawal of lands
11 as the Dixie Valley Special Management Area, the
12 Secretary of the Interior shall ensure that geo-
13 thermal exploration and development is authorized
14 on the portion of such lands located west of State
15 Route 121, consistent with the required design fea-
16 tures described by the Secretary of the Navy in the
17 Final Environmental Impact Statement.

18 **SEC. 5907. WATER.**

19 Effective as of the date of enactment of this Act, the
20 Secretary of the Navy shall ensure that the Department
21 of the Navy complies with the portion of the memorandum
22 of understanding between the Department of the Navy
23 and the United States Fish and Wildlife Service dated
24 July 26, 1995, requiring the Department of the Navy to
25 limit water rights to the maximum extent practicable, con-

1 sistent with safety of operations, for Naval Air Station
2 Fallon, Nevada, currently not more than 4,402 acre-feet
3 of water per year.

4 **SEC. 5908. MANAGEMENT OF SHOAL SITE.**

5 (a) SUBSURFACE ESTATE.—The Secretary of Energy
6 shall remain responsible and liable for the management
7 and use of the subsurface estate of the Shoal Site, includ-
8 ing all activities conducted with respect to the subsurface
9 estate.

10 (b) SURFACE ESTATE.—Pursuant to the withdrawal
11 and reservation made by section 3011(a)(1) of the Mili-
12 tary Lands Withdrawal Act of 1999 (title XXX of Public
13 Law 106–65; 113 Stat. 885), the Secretary of the Navy
14 shall be responsible for the management and use of the
15 surface estate of the Shoal Site.

16 **SEC. 5909. INTEGRATED NATURAL RESOURCES MANAGE-**
17 **MENT PLAN.**

18 (a) PREPARATION REQUIRED.—

19 (1) JOINT PREPARATION; DEADLINE.—Within 2
20 years after the date of enactment of this Act, the
21 Secretary of the Navy and the Secretary of the Inte-
22 rior shall jointly prepare an integrated natural re-
23 sources management plan for the withdrawal lands.

24 (2) COORDINATION.—The Secretaries shall pre-
25 pare the integrated natural resources management

1 plan in coordination with the State, the County,
2 other impacted counties in the State, and affected
3 Indian Tribes.

4 (b) RESOLUTION OF CONFLICTS.—

5 (1) IN GENERAL.—Any disagreement among
6 the parties referred to in subsection (a) concerning
7 the contents or implementation of the integrated
8 natural resources management plan prepared under
9 that subsection or an amendment to the manage-
10 ment plan shall be resolved by the Secretary of the
11 Navy and the Secretary of the Interior, acting
12 through—

13 (A) the State Director of the Nevada State
14 Office of the Bureau of Land Management; and

15 (B) if appropriate, the Regional Director
16 of the United States Fish and Wildlife Service.

17 (2) DELEGATION.—The Secretary of the Navy
18 may delegate the authority under paragraph (1) to
19 the commander of Naval Air Station Fallon, Ne-
20 vada.

21 (3) CONSULTATION.—Prior to the resolution of
22 any conflict under paragraph (1), the Secretary of
23 the Navy and the Secretary of the Interior shall con-
24 sult with the executive committee.

1 (c) ELEMENTS OF PLAN.—Subject to subsection (b),
2 the integrated natural resources management plan pre-
3 pared under subsection (a)—

4 (1) shall be prepared and implemented in ac-
5 cordance with the Sikes Act (16 U.S.C. 670 et seq.);

6 (2) shall include provisions for—

7 (A) proper management and protection of
8 the natural and cultural resources of the land;
9 and

10 (B) sustainable use by the public of such
11 resources to the extent consistent with the mili-
12 tary purposes for which the land is withdrawn
13 and reserved;

14 (3) shall include provisions, developed in con-
15 sultation with affected Indian Tribes, that address
16 how the Secretary of the Navy intends—

17 (A) to fulfill the trust responsibility of the
18 United States to the affected Indian Tribes, in-
19 cluding with respect to land and rights of the
20 affected Indian Tribes reserved by treaty or
21 Federal law that are affected by the withdrawal
22 and reservation;

23 (B) to allow access to, and ceremonial use
24 of, Indian sacred sites to the extent consistent

1 with the military purposes for which the land is
2 withdrawn and reserved; and

3 (C) to provide for timely consultation with
4 affected Indian Tribes;

5 (4) shall provide that any hunting, fishing, and
6 trapping on the land shall be conducted in accord-
7 ance with section 2671 of title 10, United States
8 Code;

9 (5) shall provide for livestock grazing and agri-
10 cultural out-leasing on the land, if appropriate—

11 (A) in accordance with section 2667 of
12 title 10, United States Code; and

13 (B) at the discretion of the Secretary of
14 the Navy;

15 (6) shall identify current test and target impact
16 areas and related buffer or safety zones on the land;

17 (7) shall provide that the Secretary of the
18 Navy—

19 (A) shall take any and all necessary ac-
20 tions to prevent, suppress, manage, and reha-
21 bilitate brush and range fires occurring within
22 the boundaries of the Fallon Range Training
23 Complex and brush and range fires occurring
24 outside the boundaries of the Fallon Range

1 Training Complex resulting from military ac-
2 tivities; and

3 (B) notwithstanding section 2465 of title
4 10, United States Code—

5 (i) may obligate funds appropriated or
6 otherwise available to the Secretary of the
7 Navy to enter into memoranda of under-
8 standing, cooperative agreements, and con-
9 tracts for fire management; and

10 (ii) shall reimburse the Secretary of
11 the Interior for costs incurred under this
12 paragraph;

13 (8) shall provide that all gates, fences, and bar-
14 riers constructed after the date of enactment of this
15 Act shall be designed and erected, to the maximum
16 extent practicable and consistent with military secu-
17 rity, safety, and sound wildlife management use, to
18 allow wildlife access;

19 (9) if determined appropriate by the Secretary
20 of the Navy and the Secretary of the Interior after
21 review of any existing management plans applicable
22 to the land, shall incorporate the existing manage-
23 ment plans;

24 (10) shall include procedures to ensure that—

1 (A) the periodic reviews of the integrated
2 natural resources management plan required by
3 the Sikes Act (16 U.S.C. 670 et seq.) are con-
4 ducted jointly by the Secretary of the Navy and
5 the Secretary of the Interior; and

6 (B) affected States and affected Indian
7 Tribes and the public are provided a meaningful
8 opportunity to comment on any substantial re-
9 visions to the plan that may be proposed pursu-
10 ant to such a review;

11 (11) shall incorporate the cooperative agree-
12 ments, class III cultural resource inventories, and
13 ethnographic studies described in section 5915(d);
14 and

15 (12) shall provide procedures to amend the in-
16 tegrated natural resources management plan as nec-
17 essary.

18 **SEC. 5910. ROAD RECONSTRUCTION AND TREATMENT OF**
19 **EXISTING ROADS AND RIGHTS-OF-WAY.**

20 (a) ROAD RECONSTRUCTION AND RELOCATION.—
21 The Secretary of the Navy shall be responsible for the
22 timely—

23 (1) reconstruction of Lone Tree Road leading to
24 the B-16 range;

1 (2) reconstruction and relocation of State High-
2 way 361 in the B-17 range; and

3 (3) relocation of Sand Canyon/Red Mountain
4 Roads as depicted on the Map.

5 (b) EXISTING ROADS AND RIGHTS-OF-WAY.—The
6 withdrawal and reservation of the withdrawal lands shall
7 not affect the following roads and associated rights-of-
8 way:

9 (1) U.S. Highways 50 and 95.

10 (2) State Routes 121 and 839.

11 (3) County roads identified as Simpson Road,
12 East County Road, Earthquake Fault Road, Fair-
13 view Peak Road, and Pole Line Road.

14 (c) RS 2477 CLAIMS.—The withdrawal and reserva-
15 tion of the withdrawal lands shall not obstruct or interfere
16 with the ability of the County to seek adjudication of
17 claims for existing County roads under section 2477 of
18 the Revised Statutes (43 U.S.C. 932), repealed by section
19 706(a) of the Federal Land Policy and Management Act
20 of 1976 (Public Law 94-579; 90 Stat. 2793).

21 **SEC. 5911. ENVIRONMENTAL REQUIREMENTS.**

22 (a) IN GENERAL.—Notwithstanding the Military
23 Lands Withdrawals Act of 2013 (title XXIX of Public
24 Law 113-66; 127 Stat. 1025), with respect to the with-
25 drawal lands—

1 (1) the Secretary of the Navy shall—

2 (A) carry out a decontamination program
3 that prioritizes the remediation of sites that
4 contain Tribal cultural resources or Tribal trust
5 land, including—

6 (i) the contaminated trust land of the
7 Walker River Paiute Tribe; and

8 (ii) the Tribal cultural resources of
9 the Fallon Paiute Shoshone Tribe;

10 (B) until the date on which all remediation
11 activities under subparagraph (A) are com-
12 pleted in accordance with applicable law, in-
13 clude in the applicable fiscal year budget re-
14 quest of the Secretary of the Navy sufficient
15 funds to conduct the remediation; and

16 (C) shall consult with each affected Indian
17 Tribe regarding any decontamination plan, in-
18 cluding with respect to—

19 (i) the treatment of any cultural re-
20 sources of the affected Indian Tribe, in-
21 cluding sacred sites; and

22 (ii) any opportunities for the use or
23 conservation of the affected area for the
24 benefit of the affected Indian Tribe; and

1 (2) the Secretary of Defense shall include in the
2 annual report required under section 2711 of title
3 10, United States Code, a description of decon-
4 tamination activities planned for and carried out
5 under paragraph (1)(A), including a description of
6 the level of appropriations allocated, authorized, ex-
7 pended, or requested under paragraph (1)(B) for
8 those activities.

9 (b) **REPORT.**—After the termination pursuant to sec-
10 tion 5903 of the withdrawal and reservation of the with-
11 drawal lands, the Secretary of the Navy shall submit to
12 the Secretary of the Interior and the applicable congres-
13 sional committees a report describing the status of—

14 (1) the previously withdrawn withdrawal lands;

15 (2) any other affected land and resources af-
16 fected by the activities of the Secretary of the Navy
17 under this section; and

18 (3) all remediation activities carried out by the
19 Secretary of the Navy under this section.

20 (c) **PUBLIC WARNINGS.**—The Secretary of the Navy
21 shall carry out appropriate measures to warn the public
22 of any contamination, harm, or risk associated with entry
23 into the withdrawal lands.

24 (d) **OTHER FEDERAL AGENCIES.**—If the Secretary
25 of the Navy delegates to another Federal agency responsi-

1 bility for or jurisdiction over, or permits another Federal
2 agency to operate on, any portion of the withdrawal lands,
3 the Federal agency shall assume all responsibility and li-
4 ability under applicable law for the activities of the Fed-
5 eral agency with respect to that portion of the withdrawal
6 lands.

7 **SEC. 5912. NO DIMINISHMENT OF INDIAN TRIBAL RIGHTS.**

8 Nothing in this part alters—

9 (1) any right reserved by treaty or Federal law
10 for an Indian Tribe, including for Tribal use of the
11 withdrawal lands; or

12 (2) except as provided in section 5904, any
13 other withdrawal or reservation of land for the
14 Fallon Range Training Complex in effect on the
15 date of enactment of this Act.

16 **Subpart C—Cooperation, Coordination, and**
17 **Consultation**

18 **SEC. 5913. MEMORANDUM OF UNDERSTANDING ON MOD-**
19 **ERNIZATION OF FALLON RANGE TRAINING**
20 **COMPLEX.**

21 (a) MEMORANDUM OF UNDERSTANDING.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of enactment of this Act, the Sec-
24 retary of the Navy, in collaboration with applicable
25 Federal agencies, shall enter into a memorandum of

1 understanding with the parties specified in para-
2 graph (2) to address issues of concern to the local
3 community and affected Indian Tribes associated
4 with the project for the modernization of the Fallon
5 Range Training Complex.

6 (2) PARTIES.—The parties covered by para-
7 graph (1) include the State, the County, the counties
8 of Elko, Eureka, Lander, Lyon, Mineral, Nye, Per-
9 shing, and Washoe in the State, affected Indian
10 Tribes, and other interested parties, such as the
11 Inter-Tribal Council of Nevada and the Nevada In-
12 dian Commission.

13 (b) ELEMENTS.—The memorandum of under-
14 standing shall address, at a minimum, the following:

15 (1) The agreed upon methods to be used by the
16 Secretary of the Navy to mitigate and control fuels,
17 invasive weeds, and rangeland fires on the expanded
18 Fallon Range Training Complex that are caused by
19 ordnance, aircraft, vehicles, or any other activity by
20 the Department of Defense.

21 (2) An agreement to mitigate or remove
22 unexploded ordnance that is currently present on
23 surrounding public, private, and Tribal land that is
24 the result of past activity by the Department of De-
25 fense conducted at Naval Air Station Fallon.

1 (3) An agreement to remediate environmental
2 contamination that—

3 (A) currently exists on surrounding public,
4 private, and Tribal land that is the result of
5 past activity by the Department of Defense con-
6 ducted at Naval Air Station Fallon; and

7 (B) future environmental contamination
8 that may take place on that land as a result of
9 future activity by the Department.

10 (4) An agreement for compensation from the
11 Secretary of the Navy for private property and valid
12 existing rights impacted by the withdrawal and res-
13 ervation of the withdrawal lands, including—

14 (A) private lands located within the with-
15 drawal lands;

16 (B) water rights within the withdrawal
17 lands that cannot otherwise be mitigated;

18 (C) grazing permits and existing infra-
19 structure that cannot otherwise be mitigated;

20 (D) existing land use authorizations (such
21 as rights-of-way) that cannot otherwise be miti-
22 gated; and

23 (E) mineral rights and claims.

24 (5) An agreement for compensation from the
25 Secretary of the Navy to the County to mitigate the

1 loss of transportation infrastructure, water infra-
2 structure, and public access related to the with-
3 drawal lands, including—

4 (A) reconstruction of Lone Tree Road,
5 which shall include all costs related to permit-
6 ting (including environmental and cultural), de-
7 sign, and construction;

8 (B) realignment of Sand Canyon Road,
9 which shall include all costs related to permit-
10 ting (including right-of-way, environmental, and
11 cultural), design, and construction; and

12 (C) increased costs for the Dixie Valley
13 Water Project as a result of designed features
14 required by the Secretary of the Navy.

15 (6) An agreement for compensation from the
16 Secretary of the Navy to the Nevada Department of
17 Transportation to mitigate the loss of transportation
18 infrastructure and public access related to the with-
19 drawal lands, including—

20 (A) realignment of Nevada State Route
21 361, Gabbs Highway, which shall include all
22 costs related to permitting (including right-of-
23 way, environmental, and cultural), design, and
24 construction; and

1 (B) reconstruction of Nevada State Route
2 718, Lone Tree Road, which shall include all
3 costs related to permitting (including environ-
4 mental and cultural), design, and construction.

5 (7) An agreement for compensation from the
6 Secretary of the Navy to the State for public health
7 and safety improvements, which shall include—

8 (A) wildland fire suppression;

9 (B) wildland fire restoration;

10 (C) wildlife planning, fuel reduction, and
11 pre-suppression; and

12 (D) an emergency response fund.

13 (8) An agreement for compensation from the
14 Secretary of the Navy to the County and the coun-
15 ties of Lyon, Nye, Mineral, and Pershing in the
16 State to offset any reductions made in payments in
17 lieu of taxes.

18 (9) An agreement for compensation from the
19 Secretary of the Navy to the State to mitigate im-
20 pacts of the withdrawal lands on biological re-
21 sources, including—

22 (A) bighorn sheep;

23 (B) greater sage grouse;

24 (C) wildlife species specified by the State,
25 including aquatic species;

1 (D) other wildlife species of conservation
2 priority or concern;

3 (E) botanical and invertebrate species or
4 similar species of concern specified by the
5 State; and

6 (F) management of nonnative, invasive
7 species.

8 (10) An agreement for compensation from the
9 Secretary of the Navy to the County for the survey,
10 appraisal, environmental permitting, checkerboard
11 land resolution, and land acquisition costs related to
12 municipal land conveyances.

13 (11) An agreement for compensation from the
14 Secretary of the Navy to a mutually agreed upon
15 party to conduct a comprehensive class III cultural
16 resource inventory and ethnographic study on the
17 existing and expanded Fallon Range Training Com-
18 plex.

19 (12) An agreement for compensation from the
20 Secretary of the Navy to the Nevada State Historic
21 Preservation Office—

22 (A) to oversee and manage the comprehen-
23 sive cultural resources inventory described in
24 paragraph (11); and

1 (B) to compensate the spatial and cultural
2 resource database, the Nevada Cultural Re-
3 source Inventory System, maintained by the
4 Nevada State Historic Preservation Office pur-
5 suant to section 383.021 of the Nevada Revised
6 Statutes and section 302503(a)(3) of title 54,
7 United States Code.

8 (13) An agreement to coordinate subsequent
9 land management planning efforts that require co-
10 operation with State, local, and Tribal governments
11 that include implementation of—

12 (A) the integrated natural resource man-
13 agement plan required by section 5909;

14 (B) County zoning changes; and

15 (C) other resource management plans un-
16 dertaken by the Bureau of Land Management.

17 (14) An agreement to implement outdoor recre-
18 ation in applicable areas.

19 (15) An agreement to facilitate public access
20 for administrative, recreational, cultural, religious,
21 wildlife management, wildfire management, edu-
22 cational, and other purposes.

23 (16) A cost assessment and evaluation by the
24 Secretary of the Navy to determine—

1 (A) how much funding will be required
2 over the future-years defense plan to address
3 the elements contained in the memorandum of
4 understanding;

5 (B) which funding sources will be used to
6 address those elements; and

7 (C) how much funding should be assigned
8 to each year in that plan to address those ele-
9 ments.

10 (17) The relocation of the Paiute pipeline.

11 (18) An acre-for-acre exchange between the De-
12 partment of the Interior and the County for all
13 County land within the Fallon National Wildlife Ref-
14 uge and B-20 range at the Fallon Range Training
15 Complex in exchange for Department of the Interior
16 land designated as exchange acreage on the Map.

17 (c) SUBMITTAL OF MEMORANDUM OF UNDER-
18 STANDING.—Not later than 1 year after finalizing the
19 memorandum of understanding, the Secretary of the Navy
20 or the Secretary of the Interior, as applicable, shall submit
21 a copy of the memorandum of understanding to the appli-
22 cable congressional committees and the Committees on
23 Appropriations of the Senate and the House of Represent-
24 atives.

1 **SEC. 5914. EXPANSION OF INTERGOVERNMENTAL EXECU-**
2 **TIVE COMMITTEE ON JOINT USE BY DEPART-**
3 **MENT OF THE NAVY AND DEPARTMENT OF**
4 **THE INTERIOR OF FALLON RANGE TRAINING**
5 **COMPLEX.**

6 The Secretary of the Navy and the Secretary of the
7 Interior shall expand the membership of the intergovern-
8 mental executive committee established pursuant to para-
9 graph (5) of section 3011(a) of the Military Lands With-
10 drawal Act of 1999 (Public Law 106–65), as added by
11 section 2844 of the Military Construction Authorization
12 Act of Fiscal Year 2021 (division B of Public Law 116–
13 283), and relating to the management of the natural and
14 cultural resources of the withdrawal lands to include rep-
15 resentatives of Eureka County of the State, the Nevada
16 Department of Agriculture, and the Nevada Division of
17 Minerals.

18 **SEC. 5915. COOPERATIVE EFFORTS FOR IDENTIFICATION**
19 **OF, ACCESS TO, AND PROTECTION OF CUL-**
20 **TURAL RESOURCES.**

21 (a) IDENTIFICATION.—

22 (1) ACCESS TO AFFECTED INDIAN TRIBES.—

23 Not later than 120 days after the date of enactment
24 of this Act, the Secretary of the Navy and the Sec-
25 retary of the Interior shall provide to each affected
26 Indian Tribe such access to the withdrawal lands as

1 the Secretaries, in consultation with the affected In-
2 dian Tribes, determine to be reasonable and suffi-
3 cient for the purpose of identifying within the
4 land—

5 (A) cultural resources (as defined in sec-
6 tion 2684(d) of title 10, United States Code);
7 and

8 (B) burial sites (as defined in section 2 of
9 the Native American Graves Protection and Re-
10 patriation Act (25 U.S.C. 3001)).

11 (2) SUBMISSION OF RESULTS.—Not later than
12 240 days after the date of enactment of this Act,
13 each affected Indian Tribe provided access under
14 paragraph (1) shall submit to the Secretary of the
15 Navy a notice describing each cultural resource and
16 burial site identified within the withdrawal lands.

17 (b) COOPERATIVE AGREEMENTS.—Not later than
18 one year after the date of enactment of this Act, the Sec-
19 retary of the Navy and the Secretary of the Interior shall
20 offer to enter into a cooperative agreement with each af-
21 fected Indian Tribe that submitted to the Secretary of the
22 Navy a notice under subsection (a)(2)—

23 (1) to provide to the affected Indian Tribe—

1 (A) reasonable and recurrent access to,
2 and use of, the identified cultural resources;
3 and

4 (B) proper disposition or protection of, and
5 any requested access to, the identified burial
6 sites, in accordance with the Native American
7 Graves Protection and Repatriation Act (25
8 U.S.C. 3001 et seq.);

9 (2)(A) to protect relevant cultural resources
10 from disturbance; and

11 (B) if requested by the affected Indian Tribe,
12 to protect burial sites from disturbance; and

13 (3) to support any other activities that are nec-
14 essary and reasonable to achieve the purposes de-
15 scribed in paragraphs (1) and (2).

16 (c) PROCEDURES FOR ADDITIONAL WITH-
17 DRAWALS.—After the date of enactment of this Act, if ad-
18 ditional land is withdrawn and reserved for the Fallon
19 Range Training Complex, the Secretary of the Navy and
20 the Secretary of the Interior shall—

21 (1) provide to each affected Indian Tribe simi-
22 lar access, identification, and notice procedures,
23 within similar timeframes, as those access, identi-
24 fication, and notice procedures and timeframes de-
25 scribed in subsection (a); and

1 (2) amend each cooperative agreement, or enter
2 into a new cooperative agreement, as necessary and
3 requested by an affected Indian Tribe, to provide
4 similar protections, access, and use of cultural re-
5 sources and burial sites as the protections, access,
6 and use of cultural resources and burial sites de-
7 scribed in subsection (b).

8 (d) CLASS III INVENTORIES AND ETHNOGRAPHIC
9 STUDIES.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this Act, the Secretary of
12 the Navy shall conduct, as appropriate, one or more
13 class III cultural resource inventories and ethno-
14 graphic studies regarding such portions of the with-
15 drawal lands that were not previously withdrawn for
16 military purposes.

17 (2) LOCATION AND ORDER.—The Secretary of
18 the Navy shall determine the location and order of
19 any class III inventory and ethnographic study con-
20 ducted under paragraph (1).

21 (3) PHASES.—The Secretary of the Navy may
22 conduct any class III inventory and ethnographic
23 study under paragraph (1) in phases.

24 (4) PARTICIPATION OF AFFECTED INDIAN
25 TRIBES.—In conducting a class III inventory and

1 ethnographic study under paragraph (1), the Sec-
2 retary of the Navy shall coordinate with, and provide
3 for the participation of, each applicable affected In-
4 dian Tribe.

5 (5) RESULTS OF INVENTORY AND ETHNO-
6 GRAPHIC STUDIES.—The Secretary of the Navy shall
7 use the results of any class III inventory and ethno-
8 graphic study conducted under paragraph (1)—

9 (A) to achieve compliance with applicable
10 Federal law; and

11 (B) to determine the obligations of the
12 Secretary of the Navy under—

13 (i) the integrated natural resources
14 management plan prepared under section
15 5909; and

16 (ii) any cooperative agreement entered
17 into under subsection (b) or (c).

18 (e) FUNDING.—In addition to any other amounts au-
19 thorized to be appropriated to carry out this section, there
20 are authorized to be appropriated to the Secretary of the
21 Navy, for distribution among the Department of the Navy,
22 the Department of the Interior, and the applicable af-
23 fected Indian Tribes, such sums as are necessary to carry
24 out the cooperative agreements under subsections (b) and
25 (c), subject to the condition that the amounts distributed

1 to the applicable affected Indian Tribes shall be sufficient
2 to fund—

- 3 (1) not fewer than 3 full-time equivalent posi-
4 tions to carry out the cooperative agreements; and
5 (2) other reasonable costs associated with par-
6 ticipation by affected Indian Tribes.

7 (f) NAVY PURPOSES.—Nothing in this section inter-
8 feres with the purposes described in subsection (b)(1) of
9 section 5901 for which the lands withdrawn by subsection
10 (a)(1) of such section were reserved.

11 **Subpart D—Reduction of Impact of Withdrawal and**
12 **Reservation**

13 **SEC. 5916. REDUCTION OF IMPACT OF FALLON RANGE**
14 **TRAINING COMPLEX MODERNIZATION BY DE-**
15 **PARTMENT OF THE NAVY.**

16 (a) REQUIREMENT.—The Secretary of the Navy shall
17 carry out the mitigations and other measures set forth in
18 this section to reduce the impact of the modernization of
19 the Fallon Range Training Complex (in this section re-
20 ferred to as the “modernization”) by the Secretary of the
21 Navy on the land and local community.

22 (b) WITHDRAWAL OR ACQUISITION OF LAND.—

23 (1) IN GENERAL.—Withdrawal or acquisition by
24 the Secretary of the Navy for military purposes of

1 land impacted by the modernization is contingent
2 upon—

3 (A) finalization of payments under this
4 section for private property affected by the
5 modernization, including—

6 (i) lost land rights;

7 (ii) lost mining claims;

8 (iii) lost water rights; and

9 (iv) lost grazing rights, permits, or in-
10 frastructure;

11 (B) implementation of conservation and
12 Tribal cultural resource mitigation measures re-
13 lating to the modernization;

14 (C) completion of studies relating to the
15 modernization;

16 (D) completion of ethnographic studies and
17 class III cultural resource inventories of Tribal
18 cultural resources and burial sites;

19 (E) payments to affected Indian Tribes;

20 (F) conveyance of land required to be con-
21 veyed by this part; and

22 (G) the removal of unexploded ordnance
23 from the Fallon Range Training Complex to en-
24 sure that safe access is available to all cultural
25 resources throughout the Fallon Range Train-

1 ing Complex, subject to the condition that the
2 Secretary of the Navy shall—

3 (i) review and fully disclose any im-
4 pacts caused by the activities of the Sec-
5 retary of the Navy at the site of the Fallon
6 Paiute Shoshone Tribe at Fox Peak, Medi-
7 cine Rock, and Fairview Mountain; and

8 (ii) consult with the affected Indian
9 Tribes to determine the manner in which
10 to mitigate, to the maximum extent prac-
11 ticable, any negative impacts caused by the
12 activities of the Secretary of the Navy dis-
13 closed under clause (i).

14 (2) INDIAN SACRED OR BURIAL SITE.—

15 (A) WITHDRAWAL.—Subject to the com-
16 pletion of the studies and inventories required
17 under paragraph (1)(D), any Indian sacred or
18 burial site located within any of the withdrawal
19 lands shall not be withdrawn until the date on
20 which a mitigation plan is approved by any af-
21 fected Indian Tribes.

22 (B) LIMITATION.—The Secretary of the
23 Navy shall not disclose to the public informa-
24 tion relating to the nature and location of an
25 Indian sacred or burial site if the Secretary of

1 the Navy determines, in consultation with the
2 affected Indian Tribe, that the disclosure
3 may—

4 (i) risk harm to cultural resources of
5 the Indian sacred or burial site;

6 (ii) cause a significant invasion of pri-
7 vacy of the affected Indian Tribe or mem-
8 bers of the affected Indian Tribe; or

9 (iii) impede the use of the Indian sa-
10 cred or burial site for traditional cultural
11 activities by the affected Indian Tribe or
12 members of the affected Indian Tribe.

13 (3) APPLICATION.—Paragraph (1) shall not
14 apply to the land previously withdrawn for the
15 Fallon Range Training Complex by section
16 3011(a)(1) of the Military Lands Withdrawal Act of
17 1999 (title XXX of Public Law 106–65; 113 Stat.
18 885).

19 (c) REALIGNMENT OF PAIUTE PIPELINE.—

20 (1) IN GENERAL.—The Secretary of the Navy
21 shall purchase the portion of the Paiute pipeline im-
22 pacted by the modernization and pay for relocation
23 of the existing Paiute pipeline south of the proposed
24 B–17 range on the Fallon Range Training Complex.

1 (2) REALIGNMENT OF PIPELINE.—Using
2 amounts provided by the Department of the Navy,
3 the Paiute Pipeline Company shall be responsible for
4 planning, designing, permitting, funding, and con-
5 structing any realignment of the Paiute pipeline.

6 (3) RESOURCE IMPACTS.—Any potential re-
7 source impacts associated with the relocation of the
8 Paiute pipeline shall be subject to the same commit-
9 ments by the Secretary of the Navy as any resource
10 impacts under the modernization.

11 (d) TREATMENT OF MINING AND MINERAL RE-
12 SOURCES.—

13 (1) IN GENERAL.—The Secretary of the Navy
14 shall notify, by certified mail, holders of mining
15 claims impacted by the modernization, including re-
16 alignment of existing roads, and shall make pay-
17 ments to those holders in accordance with this sub-
18 section.

19 (2) TREATMENT OF CERTAIN CLAIMS.—

20 (A) PATENTED OR VALIDITY EXAM.—The
21 Secretary of the Navy shall fully compensate, in
22 accordance with the conditions and procedures
23 outlined in section 3.3 of the Final Environ-
24 mental Impact Statement, any claims described

1 in paragraph (1) that are patented or have a
2 validity exam.

3 (B) OTHER CLAIMS.—For claims described
4 in paragraph (1) that are not described in sub-
5 paragraph (A), the Secretary of the Navy shall
6 offer to the claimant nominal payments (fac-
7 toring in expenses previously incurred by the
8 claimant) subject to the conditions and proce-
9 dures outlined in section 3.3 of the Final Envi-
10 ronmental Impact Statement.

11 (3) APPRAISAL PROCESS.—In providing pay-
12 ments to claimants under this subsection, the Sec-
13 retary of the Navy shall follow section 1.10.3 of the
14 appraisal process described in the Uniform Appraisal
15 Standards for Federal Land Acquisitions (Special
16 Consideration for Mineral Properties).

17 (e) LIVESTOCK GRAZING.—

18 (1) IN GENERAL.—The Secretary of the Navy
19 shall notify holders of grazing allotments impacted
20 by the modernization and, if possible, work with
21 those holders to obtain replacement forage.

22 (2) REVISIONS TO ALLOTMENT PLANS.—The
23 Secretary of the Navy shall, subject to the avail-
24 ability of appropriations, pay for required revisions
25 to grazing allotment plans, permits, and associated

1 environmental approvals impacted by the moderniza-
2 tion.

3 (3) ALTERNATIVE TO REPLACEMENT FOR-
4 AGE.—If replacement forage cannot be identified
5 under paragraph (1), the Secretary of the Navy
6 shall, subject to the availability of appropriations,
7 make payments to Federal grazing permit holders
8 for all losses suffered by the permit holders as a re-
9 sult of the withdrawal or other use of former Fed-
10 eral grazing lands for national defense purposes pur-
11 suant to the Act of June 28, 1934 (commonly
12 known as the “Taylor Grazing Act”; 43 U.S.C. 315
13 et seq.).

14 (4) NOTIFICATION AND PAYMENT.—The Sec-
15 retary of the Navy shall notify, by certified mail,
16 holders of grazing allotments (or portions thereof)
17 that are terminated and shall compensate those
18 holders for authorized permanent improvements
19 (such as corrals) associated with those allotments
20 (or portions thereof).

21 (5) CONSIDERATIONS.—For purposes of calcu-
22 lating and making a payment to a Federal grazing
23 permit holder under paragraphs (3) and (4) (includ-
24 ing the conduct of any appraisals required to cal-
25 culate the amount of the payment)—

1 (A) the Secretary of the Navy shall con-
2 sider the permanent loss of the applicable Fed-
3 eral grazing permit; and

4 (B) the amount of the payment shall not
5 be limited to the remaining term of the existing
6 Federal grazing permit.

7 (f) WATER RESOURCES.—

8 (1) IN GENERAL.—The Secretary of the Navy
9 shall notify, by certified mail, water rights holders
10 impacted by the modernization and, if water rights
11 are adversely affected and cannot be otherwise miti-
12 gated, acquire existing and valid State water rights
13 (including improvements within the Bravo ranges).

14 (2) PRACTICES AND MEASURES.—In carrying
15 out the modernization, the Secretary of the Navy
16 shall implement management practices and mitiga-
17 tion measures specifically designed to reduce or
18 avoid potential impacts on surface water and
19 groundwater, such as placing targets outside of
20 washes.

21 (g) BIOLOGICAL RESOURCES.—

22 (1) MITIGATIONS OF IMPACTS ON SAGE
23 GROUSE.—

24 (A) STUDY.—

1 (i) IN GENERAL.—The Secretary of
2 the Navy shall conduct a study to assess
3 the reactions of greater sage grouse in the
4 area impacted by the modernization to air-
5 craft overflights.

6 (ii) COORDINATION.—The Secretary
7 of the Navy shall conduct the study under
8 clause (i) in coordination with the State
9 and United States Fish and Wildlife Serv-
10 ice.

11 (B) MITIGATIONS AND MANAGEMENT.—If
12 the Secretary of the Navy determines under the
13 study under subparagraph (A) that greater
14 sage grouse in the area impacted by the mod-
15 ernization are impacted by aircraft overflights,
16 the Secretary of the Navy shall implement such
17 mitigations and adaptive management, in co-
18 ordination with the State and the United States
19 Fish and Wildlife Service, before operational
20 use of the air space by the Armed Forces over
21 the land of the impacted habitat.

22 (2) USE OF FENCING.—In constructing fences
23 on the area impacted by the modernization, the Sec-
24 retary of the Navy, in coordination with the Nevada
25 Department of Wildlife, shall—

1 (A) use wildlife friendly configured four-
2 wire fencing to minimize impacts on wildlife
3 from fencing; and

4 (B) configure the spacing of wires appro-
5 priately for the wildlife in the area.

6 (3) CONSERVATION LAW ENFORCEMENT OFFI-
7 CERS.—

8 (A) IN GENERAL.—The Secretary of the
9 Navy shall establish two Conservation Law En-
10 forcement Officer positions at Naval Air Station
11 Fallon.

12 (B) DUTIES.—The duties of the Conserva-
13 tion Law Enforcement Officer position estab-
14 lished under subparagraph (A) shall include, in
15 part—

16 (i) patrolling the new fence line for
17 trespass issues and reporting to the Sec-
18 retary of the Navy any broken or downed
19 fences for maintenance repair;

20 (ii) facilitating public hunting and rec-
21 reational activities;

22 (iii) conducting historic tours of with-
23 drawn lands;

24 (iv) facilitating wildfire monitoring
25 and prevention (whether relating to activi-

1 ties of the Department of the Navy or oth-
2 erwise); and

3 (v) serving as liaison to appropriate
4 local, State, and Federal agencies with re-
5 sponsibilities relating to law enforcement,
6 emergency management, wildlife manage-
7 ment, habitat conservation, and mainte-
8 nance of wildlife water infrastructure.

9 (4) ACCESS FOR WILDLIFE MANAGEMENT.—

10 The Secretary of the Navy shall work with the Bu-
11 reau of Land Management, the United States Fish
12 and Wildlife Service, and the Nevada Department of
13 Wildlife to provide continued access for wildlife man-
14 agement activities and to existing wildlife water de-
15 velopments and guzzlers in the area impacted by the
16 modernization and to install additional guzzlers out-
17 side weapons danger zones.

18 (h) LOSS OF PRIVATELY OWNED PROPERTY.—The
19 Secretary of the Navy shall notify, by certified mail, hold-
20 ers of private property rights impacted by the moderniza-
21 tion and compensate those holders for loss of privately
22 owned real property as described in section 3.13 of the
23 Final Environmental Impact Statement.

24 (i) MITIGATION FUND.—

1 (1) IN GENERAL.—The Secretary of the Navy
2 shall establish a mitigation fund to pay for expenses
3 in the counties in the State impacted by the mod-
4 ernization relating to carrying out activities under
5 the memorandum of understanding.

6 (2) ADDITIONAL USES OF FUNDS.—Funds de-
7 posited in the fund established under paragraph (1)
8 may be used—

9 (A) to implement the memorandum of un-
10 derstanding; and

11 (B) for land consolidation or checkerboard
12 resolution purposes.

13 (j) TREATMENT OF THE WEST-WIDE ENERGY COR-
14 RIDOR.—

15 (1) IN GENERAL.—Nothing in this section re-
16 stricts the development of power utility lines within
17 that portion of the designated West-Wide Energy
18 Corridor as is located outside of the B–16 range at
19 the Fallon Range Training Complex, as depicted on
20 the Map.

21 (2) NEW TRANSMISSION LINES WITHIN B–16
22 RANGE.—The Secretary of the Navy shall allow one
23 transmission line within that portion of the des-
24 ignated West-Wide Energy Corridor as is located
25 within the B–16 range at the Fallon Range Training

1 Complex, as depicted on the Map, subject to the con-
2 dition that the transmission line shall be located as
3 closely as possible to the existing transmission line
4 located immediately adjacent to the western bound-
5 ary of the B-16 range.

6 **SEC. 5917. RESOLUTION OF WALKER RIVER PAIUTE TRIBE**

7 **CLAIMS.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) The Walker River Paiute Tribe is a feder-
10 ally recognized Indian Tribe with reservation land
11 located in the midwestern region of the State.

12 (2) Since the 1940s, the land of the Walker
13 River Paiute Tribe located south of and adjacent to
14 the Fallon Range Training Complex has been ad-
15 versely impacted by military testing and training ex-
16 ercises that resulted in the impairment and loss of
17 use of the land due to the presence of munitions
18 constituents.

19 (b) PURPOSE.—The purposes of this section are—

20 (1) to resolve the claims of the Walker River
21 Paiute Tribe against the United States for the con-
22 tamination, impairment, and loss of use of approxi-
23 mately 6,000 acres of land in the State that is with-
24 in the boundaries of the reservation of the Walker
25 River Paiute Tribe, with such lands to remain in

1 trust and part of the reservation of the Walker River
2 Paiute Tribe;

3 (2) to authorize the actions and appropriations
4 necessary to carry out this section; and

5 (3) to maintain the trust responsibility of the
6 United States to the Walker River Paiute Tribe.

7 (c) PAYMENT TO WALKER RIVER PAIUTE TRIBE.—
8 Not later than 1 year after the date of enactment of this
9 Act, the Secretary of the Navy shall, subject to the avail-
10 ability of appropriations, transfer \$20,000,000 to an ac-
11 count designated by the Walker River Paiute Tribe. Any
12 funds transferred shall be derived from amounts appro-
13 priated to the Secretary of the Navy for operation and
14 maintenance of the Navy and available to the Secretary
15 of the Navy at the time of transfer.

16 (d) TRUST LAND IMPACTS.—With respect to the land
17 established as the B-19 range at the Fallon Range Train-
18 ing Complex, as depicted on the Map, the Secretary of
19 the Navy shall maintain the primary target run alignment
20 in effect as of the date of enactment of this Act, or estab-
21 lish any alternative alignment, so as to continue to miti-
22 gate the risk of ordnance landing off-range on the approxi-
23 mately 6,000 acres of contaminated land of the Walker
24 River Paiute Tribe or any other land of the Walker River
25 Paiute Tribe.

1 (e) ADDITIONAL TRUST LAND.—

2 (1) DEFINITIONS.—In this subsection:

3 (A) DIRECTOR.—The term “Director”
4 means the Director of the Bureau of Indian Af-
5 fairs.

6 (B) MAP.—The term “map” means the
7 map entitled “Walker River Paiute Trust
8 Lands”, dated October 5, 2020, that reflects
9 the additional trust land identified as “Walker
10 Lake Parcel” to be designated as part of the
11 existing reservation of the Walker River Paiute
12 Tribe. Such map shall be on file and available
13 for public inspection in the appropriate offices
14 of the Department of the Interior.

15 (C) WALKER LAKE PARCEL.—The term
16 “Walker lake parcel” means the Bureau of
17 Land Management and Bureau of Reclamation
18 land located in Mineral County, Nevada, as
19 generally depicted on the map and more par-
20 ticularly described in paragraph (5).

21 (2) ENVIRONMENTAL SITE ASSESSMENT.—Not
22 later than one year after the date of enactment of
23 this Act and prior to taking the Walker lake parcel
24 into trust for the benefit of the Walker River Paiute
25 Tribe under paragraph (4)(A), the Director shall

1 complete an environmental site assessment to deter-
2 mine with respect to the Walker lake parcel—

3 (A) the likelihood of the presence of haz-
4 ardous substance-related or other environmental
5 liability; and

6 (B) if the presence of hazardous sub-
7 stance-related or other environmental liability is
8 determined to be likely—

9 (i) the extent of that liability; and

10 (ii) whether that liability can be reme-
11 diated by the United States.

12 (3) EXERCISE OF DISCRETION BY TRIBE.—If
13 the Director determines pursuant to the environ-
14 mental site assessment completed under paragraph
15 (2) that there is a likelihood of the presence of haz-
16 ardous substance-related or other environmental li-
17 ability on the Walker lake parcel that cannot be re-
18 mediated by the United States, the Walker River
19 Paiute Tribe may exercise discretion regarding
20 whether the Walker Lake parcel should be taken
21 into trust for the benefit of the Walker River Paiute
22 Tribe.

23 (4) LAND TO BE HELD IN TRUST FOR THE
24 WALKER RIVER PAIUTE TRIBE; IDENTIFICATION OF
25 REPLACEMENT LAND.—

1 (A) IN GENERAL.—If the Walker River
2 Paiute Tribe determines pursuant to paragraph
3 (3) that the Walker lake parcel should be taken
4 into trust for the benefit of the Walker River
5 Paiute Tribe, subject to valid existing rights, all
6 right, title, and interest of the United States in
7 and to the land shall be—

8 (i) held in trust by the United States
9 for the benefit of the Walker River Paiute
10 Tribe; and

11 (ii) made part of the reservation of
12 the Walker River Paiute Tribe.

13 (B) IDENTIFICATION OF SUITABLE AND
14 COMPARABLE REPLACEMENT LAND.—If the
15 Walker River Paiute Tribe determines pursuant
16 to paragraph (3) that the Walker lake parcel
17 should not be taken into trust for the benefit of
18 the Walker River Paiute Tribe, not later than
19 1 year after the date on which the Walker River
20 Paiute Tribe makes the determination, the Di-
21 rector and the Walker River Paiute Tribe
22 shall—

23 (i) enter into an agreement to identify
24 suitable and comparable replacement land
25 to be withdrawn from Federal use and

1 taken into trust for the benefit of the
2 Walker River Paiute Tribe to meet the
3 purpose described in subsection (b)(1);

4 (ii) jointly submit to Congress a pro-
5 posal describing the replacement land to be
6 taken into trust for the benefit of the
7 Walker River Paiute Tribe; and

8 (iii) provide written notification to any
9 impacted county and the State.

10 (5) WALKER LAKE PARCEL DESCRIBED.—Sub-
11 ject to paragraph (6), the Walker Lake parcel in
12 Mineral County, Nevada, to be held in trust for the
13 benefit of the Walker River Paiute Tribe under
14 paragraph (4)(A) consists of the approximately
15 6,890 acres of land depicted on the map.

16 (6) ADMINISTRATION.—

17 (A) SURVEY.—Not later than 180 days
18 after the date of enactment of this Act, the Sec-
19 retary of the Interior shall complete such sur-
20 veys as may be necessary to fully describe, and
21 adequately define the boundaries of, the Walker
22 Lake parcel.

23 (B) LEGAL DESCRIPTION.—

24 (i) IN GENERAL.—On the completion
25 of the surveys under subparagraph (A), the

1 Secretary of the Interior shall publish in
2 the Federal Register a legal description of
3 the Walker Lake parcel.

4 (ii) TECHNICAL CORRECTIONS.—Be-
5 fore the date of publication of the legal de-
6 scription under clause (i), the Secretary of
7 the Interior may make minor corrections to
8 correct technical and clerical errors in the
9 legal description.

10 (iii) EFFECT.—Effective beginning on
11 the date of publication of the legal descrip-
12 tion under clause (i), the legal description
13 shall be considered to be the official legal
14 description of the land to be held in trust
15 for the benefit of the Walker River Paiute
16 Tribe under paragraph (4)(A).

17 (7) USE OF TRUST LAND.—The land taken into
18 trust under paragraph (4)(A) shall not be eligible, or
19 considered to have been taken into trust, for class II
20 gaming or class III gaming (as those terms are de-
21 fined in section 4 of the Indian Gaming Regulatory
22 Act (25 U.S.C. 2703)).

23 (f) ELIGIBILITY FOR FEDERAL AND FEDERALLY
24 FUNDED PROGRAMS.—Funds paid to the Walker River
25 Paiute Tribe pursuant to this section, including any inter-

1 est or investment income earned, may not be treated as
2 income or resources or otherwise used as the basis for de-
3 nying or reducing the basis for Federal financial assist-
4 ance or other Federal benefit (including under the Social
5 Security Act (42 U.S.C. 301 et seq.)) to which the Walker
6 River Paiute Tribe, a member of the Walker River Paiute
7 Tribe, or a household would otherwise be entitled.

8 **SEC. 5918. LAND TO BE HELD IN TRUST FOR THE FALLON**
9 **PAIUTE SHOSHONE TRIBE.**

10 (a) TRANSFER OF NAVY PARCEL.—

11 (1) TRANSFER REQUIRED.—The Secretary of
12 the Navy shall transfer to the Secretary of the Inte-
13 rior, at no cost, a parcel of land in the County con-
14 sisting of approximately 616 acres of land as de-
15 picted on the Map.

16 (2) TRUST LAND.—On receipt of the land by
17 the Secretary of the Interior under paragraph (1),
18 and subject to valid existing rights, all right, title,
19 and interest of the United States in and to the land
20 shall be—

21 (A) held in trust by the United States for
22 the benefit of the Fallon Paiute Shoshone
23 Tribe; and

24 (B) made part of the reservation of the
25 Fallon Paiute Shoshone Tribe.

1 (b) LAND TO BE HELD IN TRUST.—

2 (1) IN GENERAL.—Subject to valid existing
3 rights, all right, title, and interest of the United
4 States in and to the land described in paragraph (2)
5 shall be—

6 (A) held in trust by the United States for
7 the benefit of the Fallon Paiute Shoshone
8 Tribe; and

9 (B) made part of the reservation of the
10 Fallon Paiute Shoshone Tribe.

11 (2) DESCRIPTION OF LAND.—The land referred
12 to in paragraph (1) is the approximately 5,000 acres
13 of land administered by the Bureau of Land Man-
14 agement and the Bureau of Reclamation, as gen-
15 erally depicted on the Map as “Reservation Expan-
16 sion Land”.

17 (c) SURVEY.—Not later than 180 days after the date
18 of enactment of this Act, the Secretary of the Interior
19 shall complete a survey of the boundary lines to establish
20 the boundaries of the land taken into trust under sub-
21 sections (a) and (b).

22 (d) USE OF TRUST LAND.—The land taken into trust
23 under subsections (a) and (b) shall not be eligible, or con-
24 sidered to have been taken into trust, for class II gaming
25 or class III gaming (as those terms are defined in section

1 4 of the Indian Gaming Regulatory Act (25 U.S.C.
2 2703)).

3 (e) COOPERATIVE AGREEMENT.—On request by the
4 Fallon Paiute Shoshone Tribe, the Secretary of the Inte-
5 rior shall enter into a cooperative agreement with the
6 Fallon Paiute Shoshone Tribe to provide assistance in the
7 management of the land taken into trust under sub-
8 sections (a) and (b) for cultural protection and conserva-
9 tion management purposes.

10 (f) ACCESS.—The Fallon Paiute Shoshone Tribe
11 shall provide reasonable access to the land taken into trust
12 under subsections (a) and (b)—

13 (1) to the United States and State officials for
14 the purposing of managing wildlife habitat; and

15 (2) to individuals who hold a permit issued by
16 the State to harvest wildlife for conservation or safe-
17 ty purposes, subject to reasonable restrictions under
18 Tribal law.

19 **SEC. 5919. NUMU NEWE CULTURAL HERITAGE AREA.**

20 (a) DEFINITIONS.—In this section:

21 (1) CULTURAL HERITAGE AREA.—The term
22 “Cultural Heritage Area” means the Numu Newe
23 Cultural Heritage Area established by subsection
24 (b).

1 (2) MANAGEMENT PLAN.—The term “manage-
2 ment plan” means the management plan for the
3 Cultural Heritage Area developed under subsection
4 (d).

5 (3) SECRETARY.—The term “Secretary” means
6 the Secretary of the Interior.

7 (4) TRIBAL COMMISSION.—The term “Tribal
8 Commission” means the Tribal commission estab-
9 lished under subsection (e).

10 (b) ESTABLISHMENT.—To protect, conserve, and en-
11 hance the unique and nationally important historic, cul-
12 tural, archaeological, natural, and educational resources of
13 the Numu Newe traditional homeland, there is established
14 in Churchill and Mineral Counties, Nevada, the Numu
15 Newe Cultural Heritage Area.

16 (c) AREA INCLUDED.—The Cultural Heritage Area
17 shall consist of the approximately 217,845 acres of public
18 land in Churchill and Mineral Counties, Nevada, adminis-
19 tered by the Bureau of Land Management, as depicted
20 on the Map.

21 (d) MANAGEMENT PLAN.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of enactment of this Act, the Sec-
24 retary shall develop a comprehensive plan for the

1 long-term management of the Cultural Heritage
2 Area.

3 (2) CONSULTATION.—In developing the man-
4 agement plan, the Secretary shall consult with—

5 (A) appropriate entities of the Federal
6 Government and State and local governments;

7 (B) members of the public; and

8 (C) the Tribal Commission.

9 (3) TRIBAL COMMISSION EXPERTISE.—In devel-
10 oping the management plan, the Secretary shall—

11 (A) meet at least semi-annually with the
12 Tribal Commission; and

13 (B) to the maximum extent practicable,
14 carefully and fully integrate the management
15 recommendations of the Tribal Commission.

16 (4) REQUIREMENTS.—The management plan
17 shall—

18 (A) describe the appropriate uses of the
19 Cultural Heritage Area;

20 (B) authorize the appropriate use of motor
21 vehicles in the Cultural Heritage Area, includ-
22 ing for the maintenance of existing roads;

23 (C) incorporate any provision of an appli-
24 cable land and resource management plan that
25 the Secretary considers to be appropriate;

1 (D) protect, preserve, maintain, and ad-
2 minister the land within the Cultural Heritage
3 Area to ensure, to the maximum extent prac-
4 ticable, the protection of traditional cultural
5 and religious sites within the Cultural Heritage
6 Area;

7 (E) to the maximum extent practicable,
8 carefully and fully consider integrating the tra-
9 ditional and historical knowledge and special ex-
10 pertise of the Fallon Paiute Shoshone Tribe;

11 (F) ensure public access to Federal land
12 within the Cultural Heritage Area for hunting,
13 fishing, and other recreational purposes;

14 (G) not affect the allocation, ownership, in-
15 terest, or control, as in existence on the date of
16 enactment of this Act, of any water, water
17 right, or any other valid existing right;

18 (H) provide for a cooperative agreement
19 with the Tribal Commission, including for co-
20 management purposes, to address the historical,
21 archeological, and cultural values of the Cul-
22 tural Heritage Area;

23 (I) describe methods for coordination be-
24 tween the Cultural Heritage Area and the
25 Numu Newe National Conservation Area (es-

1 tablished under section 5927(a)), the Clan Al-
2 pine Wilderness, the Desatoya Mountains Wil-
3 derness, and the Cain Mountain Wilderness (es-
4 tablished under section 5937); and

5 (J) be reviewed not less frequently than
6 annually by the Secretary to ensure the man-
7 agement plan is meeting the requirements of
8 this section.

9 (e) TRIBAL COMMISSION.—

10 (1) IN GENERAL.—Not later than 360 days
11 after the date of enactment of this Act, the Sec-
12 retary shall establish a Tribal Commission consisting
13 of representatives of affected Indian Tribes, to be
14 appointed by the Secretary, to provide management
15 recommendations to the Secretary with respect to
16 the Cultural Heritage Area.

17 (2) LIMITATION.—The Tribal Commission shall
18 include not more than 1 representative from each af-
19 fected Indian Tribe.

20 **SEC. 5920. NUMU NEWE CULTURAL CENTER.**

21 (a) IN GENERAL.—The Secretary of the Navy shall
22 use amounts made available to carry out this section to
23 provide financial assistance to a cultural center established
24 and operated by the Fallon Paiute Shoshone Tribe and
25 located on the Reservation of the Fallon Paiute Shoshone

1 Tribe, the purpose of which is to help sustain Numu Newe
2 knowledge, culture, language, and identity associated with
3 aboriginal land and traditional ways of life for the Fallon
4 Paiute Shoshone Tribe (referred to in this section as the
5 “Center”).

6 (b) STUDIES AND INVENTORIES.—The Center shall
7 integrate information developed in the cultural resources
8 inventories and ethnographic studies carried out under
9 section 5915(d).

10 (c) GENERAL FUND.—Of amounts made available to
11 carry out this section, the Secretary of the Navy shall,
12 subject to the availability of appropriations, transfer to a
13 general fund operated by the Tribal Commission estab-
14 lished under section 5919(e)—

15 (1) \$10,000,000 for the development and con-
16 struction of the Center; and

17 (2) \$10,000,000 to endow operations of the
18 Center.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated to the Secretary of the Navy
21 to carry out this section \$20,000,000.

22 **SEC. 5921. TRANSFER OF LAND UNDER THE ADMINISTRA-**
23 **TIVE JURISDICTION OF THE DEPARTMENT**
24 **OF THE NAVY.**

25 (a) TRANSFERS.—

1 (1) SAND MOUNTAIN RECREATION AREA PAR-
2 CEL.—The Secretary of the Navy shall transfer to
3 the Secretary of the Interior, at no cost, administra-
4 tive jurisdiction over a noncontiguous parcel of land
5 in the County consisting of approximately 86 acres
6 for the purpose of permitting the Secretary of the
7 Interior to include the land in the Sand Mountain
8 Recreation Area.

9 (2) CARSON CITY BLM DISTRICT PARCEL.—The
10 Secretary of the Navy may transfer to the Secretary
11 of the Interior, at no cost, administrative jurisdiction
12 over multiple noncontiguous parcels of land in the
13 County consisting of approximately 1,637 acres in
14 north Dixie Valley for the purpose of permitting the
15 Secretary of the Interior to include the land in the
16 Carson City District of the Bureau of Land Manage-
17 ment, as shown on the Map.

18 (b) CONDITIONS.—Before exercising the discretion
19 provided by subsection (a)(2) to transfer land to the Sec-
20 retary of the Interior, the Secretary of the Navy and the
21 Secretary of the Interior shall each make a determination
22 that such a transfer is—

23 (1) to the benefit of the Department of the
24 Navy and the Department of the Interior, respec-
25 tively; and

1 (2) in the public interest.

2 **SEC. 5922. EXCHANGE OF LAND BETWEEN CHURCHILL**
3 **COUNTY AND THE DEPARTMENT OF INTE-**
4 **RIOR FOR CONSOLIDATION OF THE FALLON**
5 **NATIONAL WILDLIFE REFUGE.**

6 Not later than 1 year after the date of enactment
7 of this Act, the Secretary of the Interior and the County
8 shall enter into an agreement to exchange all County land
9 within the Fallon National Wildlife Refuge and B-20
10 range at the Fallon Range Training Complex in exchange
11 for Department of the Interior land designated as ex-
12 change land on the Map.

13 **PART 2—NUMU NEWE CONSERVATION AREA**

14 **SEC. 5925. PURPOSE.**

15 The purpose of this part is to establish the Numu
16 Newe National Conservation Area in the State to conserve,
17 protect, and enhance for the benefit and enjoyment of
18 present and future generations the cultural, archae-
19 ological, natural, wilderness, scientific, geological, histor-
20 ical, biological, wildlife, educational, recreational, and see-
21 nic resources of the Conservation Area.

22 **SEC. 5926. DEFINITIONS.**

23 In this part:

1 (1) CONSERVATION AREA.—The term “Con-
2 servation Area” means the Numu Newe National
3 Conservation Area established by section 5927(a).

4 (2) MANAGEMENT PLAN.—The term “manage-
5 ment plan” means the management plan for the
6 Conservation Area developed under section 5928(b).

7 **SEC. 5927. ESTABLISHMENT.**

8 (a) IN GENERAL.—For the purpose described in sec-
9 tion 5925, there is established the Numu Newe National
10 Conservation Area in the State.

11 (b) AREA INCLUDED.—The Conservation Area shall
12 consist of approximately 160,224 acres of public land in
13 the County, as generally depicted on the Map.

14 (c) MAPS AND LEGAL DESCRIPTIONS.—

15 (1) IN GENERAL.—As soon as practicable after
16 the date of enactment of this Act, the Secretary of
17 the Interior shall submit to Congress a map and
18 legal description of the Conservation Area.

19 (2) EFFECT.—The map and legal descriptions
20 submitted under paragraph (1) shall have the same
21 force and effect as if included in this section, except
22 that the Secretary of the Interior may correct minor
23 errors in the map and legal description.

24 (3) PUBLIC AVAILABILITY.—A copy of the map
25 and legal description submitted under paragraph (1)

1 shall be on file and available for public inspection in
2 the appropriate offices of the Bureau of Land Man-
3 agement.

4 **SEC. 5928. MANAGEMENT.**

5 (a) IN GENERAL.—The Secretary of the Interior, act-
6 ing through the Director of the Bureau of Land Manage-
7 ment, shall manage the Conservation Area—

8 (1) in a manner that conserves, protects, and
9 enhances the resources of the Conservation Area, in-
10 cluding—

11 (A) the management of wildfire, invasive
12 species, and wildlife; and

13 (B) wildfire restoration;

14 (2) in accordance with—

15 (A) this part;

16 (B) the Federal Land Policy and Manage-
17 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

18 (C) any other applicable law; and

19 (3) as components of the National Landscape
20 Conservation System.

21 (b) MANAGEMENT PLAN.—

22 (1) IN GENERAL.—Not later than 3 years after
23 the date of enactment of this Act and in accordance
24 with paragraph (2), the Secretary of the Interior

1 shall develop a comprehensive plan for the long-term
2 management of the Conservation Area.

3 (2) CONSULTATION.—In developing the man-
4 agement plan required by paragraph (1), the Sec-
5 retary of the Interior shall consult with—

6 (A) appropriate Federal, State, Tribal, and
7 local governmental entities; and

8 (B) members of the public.

9 (3) REQUIREMENTS.—The management plan
10 shall—

11 (A) describe the appropriate uses of the
12 Conservation Area;

13 (B) authorize the appropriate use of motor
14 vehicles in the Conservation Area, including the
15 maintenance of existing roads; and

16 (C) incorporate any provision of an appli-
17 cable land and resource management plan that
18 the Secretary of the Interior considers to be ap-
19 propriate.

20 (c) USES.—The Secretary of the Interior shall allow
21 only uses of the Conservation Area that the Secretary of
22 the Interior determines would further the purpose de-
23 scribed in section 5925.

24 (d) MOTORIZED VEHICLES.—Except as needed for
25 administrative purposes or to respond to an emergency,

1 the use of motorized vehicles in the Conservation Area
2 shall be permitted only on roads and trails designated for
3 the use of motorized vehicles by the management plan.

4 (e) WITHDRAWAL.—

5 (1) IN GENERAL.—Subject to valid existing
6 rights, all public land in the Conservation Area is
7 withdrawn from—

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

10 (B) location, entry, and patent under the
11 mining laws; and

12 (C) disposition under all laws relating to
13 mineral and geothermal leasing or mineral ma-
14 terials.

15 (2) ADDITIONAL LAND.—Notwithstanding any
16 other provision of law, if the Secretary of the Inte-
17 rior acquires mineral or other interests in a parcel
18 of land within the Conservation Area after the date
19 of enactment of this Act, the parcel is withdrawn
20 from operation of the laws referred to in paragraph
21 (1) on the date of acquisition of the parcel.

22 (f) HUNTING, FISHING, AND TRAPPING.—

23 (1) IN GENERAL.—Subject to paragraph (2),
24 nothing in this part affects the jurisdiction of the
25 State with respect to fish and wildlife, including

1 hunting, fishing, and trapping in the Conservation
2 Area.

3 (2) LIMITATIONS.—

4 (A) REGULATIONS.—The Secretary of the
5 Interior may designate by regulation areas in
6 which, and establish periods during which, no
7 hunting, fishing, or trapping will be permitted
8 in the Conservation Area, for reasons of public
9 safety, administration, or compliance with ap-
10 plicable laws.

11 (B) CONSULTATION REQUIRED.—Except in
12 the case of an emergency, before promulgating
13 regulations under subparagraph (A) that close
14 a portion of the Conservation Area to hunting,
15 fishing, or trapping, the Secretary of the Inte-
16 rior shall consult with the appropriate State
17 agency.

18 (g) GRAZING.—In the case of land included in the
19 Conservation Area on which the Secretary of the Interior
20 permitted, as of the date of enactment of this Act, live-
21 stock grazing, the livestock grazing shall be allowed to
22 continue, subject to applicable laws (including regulations)
23 and Executive orders.

24 (h) NO BUFFER ZONES.—

1 (1) IN GENERAL.—The establishment of the
2 Conservation Area shall not create an express or im-
3 plied protective perimeter or buffer zone around the
4 Conservation Area.

5 (2) PRIVATE LAND.—If the use of, or conduct
6 of, an activity on private land that shares a bound-
7 ary with the Conservation Area is consistent with
8 applicable law, nothing in this part prohibits or lim-
9 its the use or conduct of the activity.

10 (i) VISITOR SERVICE FACILITIES.—The Secretary of
11 the Interior, in consultation with the State and Indian
12 Tribes that the Secretary of the Interior determines to be
13 appropriate, may establish visitor service facilities for the
14 purpose of providing information about the historical, cul-
15 tural, archaeological, ecological, recreational, geologic, sci-
16 entific, and other resources of the Conservation Area.

17 **PART 3—PISTONE-BLACK MOUNTAIN NATIONAL**
18 **CONSERVATION AREA**

19 **SEC. 5930. DEFINITIONS.**

20 In this part:

21 (1) CONSERVATION AREA.—The term “Con-
22 servation Area” means the Pistone-Black Mountain
23 National Conservation Area established by section
24 5931(a).

1 (2) **TRIBE.**—The term “Tribe” means the
2 Walker River Paiute Tribe.

3 **SEC. 5931. ESTABLISHMENT.**

4 (a) **IN GENERAL.**—To protect, conserve, and enhance
5 the unique and nationally important historic, cultural, ar-
6 chaeological, natural, and educational resources of the
7 Pistone Site on Black Mountain, there is established in
8 Mineral County, Nevada, the Pistone-Black Mountain Na-
9 tional Conservation Area.

10 (b) **AREA INCLUDED.**—

11 (1) **IN GENERAL.**—The Conservation Area shall
12 consist of the approximately 3,415 acres of public
13 land in Mineral County, Nevada, administered by
14 the Bureau of Land Management, as depicted on the
15 map entitled “Black Mountain/Pistone Archae-
16 ological District” and dated May 12, 2020.

17 (2) **AVAILABILITY OF MAP.**—The map described
18 in paragraph (1) shall be on file and available for
19 public inspection in the appropriate offices of the
20 Bureau of Land Management.

21 (c) **SUBMISSION OF MAP AND LEGAL DESCRIP-**
22 **TION.**—

23 (1) **IN GENERAL.**—As soon as practicable after
24 the date of enactment of this Act, the Secretary of
25 the Interior, acting through the Director of the Bu-

1 reau of Land Management, shall submit to Congress
2 a map and legal description of the Conservation
3 Area.

4 (2) EFFECT.—The map and legal description of
5 the Conservation Area submitted under paragraph
6 (1) shall have the same force and effect as if in-
7 cluded in this part, except that the Secretary of the
8 Interior may correct any minor errors in the map
9 and legal description.

10 (3) PUBLIC AVAILABILITY.—The map and legal
11 description of the Conservation Area submitted
12 under paragraph (1) shall be available for public in-
13 spection in the appropriate offices of the Bureau of
14 Land Management.

15 **SEC. 5932. MANAGEMENT.**

16 (a) IN GENERAL.—The Secretary of the Interior shall
17 manage the Conservation Area—

18 (1) in a manner that conserves, protects, and
19 enhances the resources and values of the Conserva-
20 tion Area, including the resources and values de-
21 scribed in section 5931(a);

22 (2) in accordance with—

23 (A) this part;

24 (B) the Federal Land Policy and Manage-
25 ment Act of 1976 (43 U.S.C. 1701 et seq.); and

1 (C) any other applicable law; and

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

4 (b) USES.—The Secretary of the Interior shall allow
5 any use of the Conservation Area—

6 (1) that is consistent with the protection of the
7 historic, cultural, and archeological resources of the
8 Conservation Area; or

9 (2) that is for the continued enjoyment by the
10 Tribe of a cultural use of the Conservation Area.

11 (c) REQUIREMENTS.—In administering the Conserva-
12 tion Area, the Secretary of the Interior shall provide for—

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

15 (2) the protection of the cultural resources and
16 burial sites of the Tribe located in the Conservation
17 Area from disturbance; and

18 (3) cooperative management with the Tribe
19 with respect to the management of the Conservation
20 Area.

21 (d) COOPERATIVE AGREEMENTS.—The Secretary of
22 the Interior may, in a manner consistent with this part,
23 enter into cooperative agreements with the State, other In-
24 dian Tribes, and other institutions and organizations to
25 carry out the purposes of this part, subject to the require-

1 ment that the Tribe shall be a party to any cooperative
2 agreement entered into under this subsection.

3 (e) VISITOR SERVICE FACILITIES.—The Secretary of
4 the Interior, in consultation with the State and Tribe, may
5 establish visitor service facilities for the purpose of pro-
6 viding information about the historical, cultural, archae-
7 ological, ecological, recreational, geologic, scientific, and
8 other resources of the Conservation Area.

9 **SEC. 5933. MANAGEMENT PLAN.**

10 (a) IN GENERAL.—Not later than 2 years after the
11 date of enactment of this Act, the Secretary of the Interior
12 shall develop a management plan for the Conservation
13 Area.

14 (b) CONSULTATION.—In developing the management
15 plan required under subsection (a), the Secretary of the
16 Interior shall consult with—

17 (1) appropriate State, Tribal, and local govern-
18 mental entities; and

19 (2) members of the public.

20 (c) REQUIREMENTS.—The management plan shall—

21 (1) describe the appropriate uses and manage-
22 ment of the Conservation Area;

23 (2) incorporate, as appropriate, decisions con-
24 tained in any other management or activity plan for
25 the land in or adjacent to the Conservation Area;

1 (3) take into consideration any information de-
2 veloped in studies of the land and resources in or
3 adjacent to the Conservation Area;

4 (4) take into consideration the historical and
5 continued cultural and archeological importance of
6 the Conservation Area to the Tribe; and

7 (5) provide for a cooperative agreement with
8 the Tribe, including for co-management purposes, to
9 address the historical, archeological, and cultural
10 values of the Conservation Area.

11 **SEC. 5934. WITHDRAWAL.**

12 Subject to valid existing rights, any Federal surface
13 and subsurface land within the Conservation Area or any
14 land (including any interest in land) that is acquired by
15 the United States after the date of enactment of this Act
16 for inclusion in the Conservation Area is withdrawn
17 from—

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

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

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

1 **SEC. 5935. EFFECT ON WATER RIGHTS.**

2 Nothing in this part constitutes an express or implied
3 reservation of any water rights with respect to the Con-
4 servation Area.

5 **PART 4—ADDITIONAL WILDERNESS AREAS IN**
6 **CHURCHILL COUNTY**

7 **SEC. 5936. SENSE OF CONGRESS; DEFINITION.**

8 (a) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that the Secretary of the Interior should collaborate
10 with the State and the County commission on wildfire and
11 rangeland management, planning, and implementation,
12 with the goal of preventing catastrophic wildfire and re-
13 source damage.

14 (b) WILDERNESS AREA DEFINED.—In this part, the
15 term “wilderness area” means a wilderness area des-
16 ignated by section 5937.

17 **SEC. 5937. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
18 **VATION SYSTEM.**

19 (a) ADDITIONS.—In accordance with the Wilderness
20 Act (16 U.S.C. 1131 et seq.), the following parcels of Fed-
21 eral land in the County are designated as wilderness and
22 as components of the National Wilderness Preservation
23 System:

24 (1) CLAN ALPINE MOUNTAINS WILDERNESS.—
25 Certain Federal land managed by the Bureau of
26 Land Management, comprising approximately

1 128,362 acres, as generally depicted on the Map,
2 which shall be known as the “Clan Alpine Mountains
3 Wilderness”.

4 (2) DESATOYA MOUNTAINS WILDERNESS.—Cer-
5 tain Federal land managed by the Bureau of Land
6 Management, comprising approximately 32,537
7 acres, as generally depicted on the Map, which shall
8 be known as the “Desatoya Mountains Wilderness”.

9 (3) CAIN MOUNTAIN WILDERNESS.—Certain
10 Federal land managed by the Bureau of Land Man-
11 agement, comprising approximately 7,664 acres, as
12 generally depicted on the Map, which shall be known
13 as the “Cain Mountain Wilderness”.

14 (b) BOUNDARY.—The boundary of any portion of a
15 wilderness area that is bordered by a road shall be at least
16 150 feet from the edge of the road to allow public access.

17 (c) MAP AND LEGAL DESCRIPTION.—

18 (1) IN GENERAL.—As soon as practicable after
19 the date of enactment of this Act, the Secretary of
20 the Interior shall file a map and legal description of
21 each wilderness area with the Committee on Energy
22 and Natural Resources of the Senate and the Com-
23 mittee on Natural Resources of the House of Rep-
24 resentatives.

1 (2) EFFECT.—Each map and legal description
2 filed under paragraph (1) shall have the same force
3 and effect as if included in this part, except that the
4 Secretary of the Interior may correct clerical and ty-
5 pographical errors in the map or legal description.

6 (3) AVAILABILITY.—Each map and legal de-
7 scription filed under paragraph (1) shall be on file
8 and available for public inspection in—

9 (A) the Office of the Director of the Bu-
10 reau of Land Management;

11 (B) the Office of the Nevada State Direc-
12 tor of the Bureau of Land Management;

13 (C) the Carson City Field Office of the
14 Bureau of Land Management; and

15 (D) the Fallon Field Station of the Bureau
16 of Land Management.

17 (d) WITHDRAWAL.—Subject to valid existing rights,
18 each wilderness area is withdrawn from—

19 (1) all forms of entry, appropriation, and dis-
20 posal under the public land laws;

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

23 (3) operation of the mineral leasing and geo-
24 thermal leasing laws.

1 **SEC. 5938. ADMINISTRATION.**

2 (a) **MANAGEMENT.**—Subject to valid existing rights,
3 each wilderness area shall be administered by the Sec-
4 retary of the Interior, in accordance with the Wilderness
5 Act (16 U.S.C. 1131 et seq.), except that—

6 (1) any reference in that Act to the effective
7 date of that Act shall be considered to be a reference
8 to the date of enactment of this Act; and

9 (2) any reference in that Act to the Secretary
10 of Agriculture shall be considered to be a reference
11 to the Secretary of the Interior.

12 (b) **LIVESTOCK.**—The grazing of livestock in a wil-
13 derness area administered by the Bureau of Land Man-
14 agement, if established as of the date of enactment of this
15 Act, shall be allowed to continue, subject to such reason-
16 able regulations, policies, and practices as the Secretary
17 of the Interior considers necessary, in accordance with—

18 (1) section 4(d)(4) of the Wilderness Act (16
19 U.S.C. 1133(d)(4)); and

20 (2) the guidelines set forth in Appendix A of
21 the report of the Committee on Interior and Insular
22 Affairs of the House of Representatives accom-
23 panying H.R. 2570 of the 101st Congress (House
24 Report 101–405).

25 (c) **INCORPORATION OF ACQUIRED LAND AND INTER-**
26 **ESTS.**—Any land or interest in land within the boundaries

1 of a wilderness area that is acquired by the United States
2 after the date of enactment of this Act shall be added to
3 and administered as part of the wilderness area within
4 which the acquired land or interest is located.

5 (d) WATER RIGHTS.—

6 (1) FINDINGS.—Congress finds that—

7 (A) the wilderness areas—

8 (i) are located in the semiarid region
9 of the Great Basin region; and

10 (ii) include ephemeral and perennial
11 streams;

12 (B) the hydrology of the wilderness areas
13 is predominantly characterized by complex flow
14 patterns and alluvial fans with impermanent
15 channels;

16 (C) the subsurface hydrogeology of the re-
17 gion in which the wilderness areas are located
18 is characterized by—

19 (i) groundwater subject to local and
20 regional flow gradients; and

21 (ii) unconfined and artesian condi-
22 tions;

23 (D) the wilderness areas are generally not
24 suitable for use or development of new water re-
25 source facilities; and

1 (E) because of the unique nature and hy-
2 drology of the desert land in the wilderness
3 areas, it is possible to provide for proper man-
4 agement and protection of the wilderness areas
5 and other values of land in ways different from
6 those used in other laws.

7 (2) STATUTORY CONSTRUCTION.—Nothing in
8 this part—

9 (A) constitutes an express or implied res-
10 ervation by the United States of any water or
11 water rights with respect to the wilderness
12 areas;

13 (B) affects any water rights in the State
14 (including any water rights held by the United
15 States) in existence on the date of enactment of
16 this Act;

17 (C) establishes a precedent with regard to
18 any future wilderness designations;

19 (D) affects the interpretation of, or any
20 designation made under, any other Act; or

21 (E) limits, alters, modifies, or amends any
22 interstate compact or equitable apportionment
23 decree that apportions water among and be-
24 tween the State of Nevada and other States.

1 (3) NEVADA WATER LAW.—The Secretary of
2 the Interior shall follow the procedural and sub-
3 stantive requirements of Nevada State law in order
4 to obtain and hold any water rights not in existence
5 on the date of enactment of this Act with respect to
6 the wilderness areas.

7 (4) NEW PROJECTS.—

8 (A) DEFINITION OF WATER RESOURCE FA-
9 CILITY.—

10 (i) IN GENERAL.—In this paragraph,
11 the term “water resource facility” means
12 irrigation and pumping facilities, res-
13 ervoirs, water conservation works, aque-
14 ducts, canals, ditches, pipelines, wells, hy-
15 dropower projects, transmission and other
16 ancillary facilities, and other water diver-
17 sion, storage, and carriage structures.

18 (ii) EXCLUSION.—In this paragraph,
19 the term “water resource facility” does not
20 include wildlife guzzlers.

21 (B) RESTRICTION ON NEW WATER RE-
22 SOURCE FACILITIES.—Except as otherwise pro-
23 vided in this part, on and after the date of en-
24 actment of this Act, neither the President nor
25 any other officer, employee, or agent of the

1 United States shall fund, assist, authorize, or
2 issue a license or permit for the development of
3 any new water resource facility within the wil-
4 derness areas.

5 (e) ADJACENT MANAGEMENT.—

6 (1) IN GENERAL.—Congress does not intend for
7 the designation of a wilderness area to create protec-
8 tive perimeters or buffer zones around the wilder-
9 ness area.

10 (2) NONWILDERNESS ACTIVITIES.—The fact
11 that nonwilderness activities or uses can be seen or
12 heard from areas within a wilderness shall not pre-
13 clude the conduct of those activities or uses outside
14 the boundary of the wilderness area.

15 (f) MILITARY OVERFLIGHTS.—Nothing in this part
16 restricts or precludes—

17 (1) low-level overflights of military aircraft over
18 the wilderness areas, including military overflights
19 that can be seen or heard within the wilderness
20 areas;

21 (2) flight testing and evaluation; or

22 (3) the designation or creation of new units of
23 special use airspace, or the establishment of military
24 flight training routes, over the wilderness areas.

1 (g) WILDFIRE MANAGEMENT.—In accordance with
2 section 4 of the Wilderness Act (16 U.S.C. 1133), nothing
3 in this part precludes a Federal, State, or local agency
4 from conducting wildfire management operations (includ-
5 ing operations using aircraft or mechanized equipment) to
6 manage wildfires in a wilderness area.

7 (h) DATA COLLECTION.—Subject to such terms and
8 conditions as the Secretary of the Interior may prescribe,
9 nothing in this part precludes the installation and mainte-
10 nance of hydrologic, meteorological, or climatological col-
11 lection devices in a wilderness area, if the Secretary of
12 the Interior determines that the facilities and access to
13 the facilities are essential to flood warning, flood control,
14 or water reservoir operation activities.

15 **SEC. 5939. WILDLIFE MANAGEMENT.**

16 (a) IN GENERAL.—In accordance with section
17 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
18 nothing in this part affects or diminishes the jurisdiction
19 of the State with respect to fish and wildlife management,
20 including the regulation of hunting, fishing, and trapping,
21 in a wilderness area.

22 (b) MANAGEMENT ACTIVITIES.—In furtherance of
23 the purposes and principles of the Wilderness Act (16
24 U.S.C. 1131 et seq.), management activities to maintain
25 or restore fish and wildlife populations and the habitats

1 to support fish and wildlife populations shall be carried
2 out in wilderness areas if the activities are carried out—

3 (1) consistent with relevant wilderness manage-
4 ment plans; and

5 (2) in accordance with appropriate policies,
6 such as those set forth in Appendix B of the report
7 of the Committee on Interior and Insular Affairs of
8 the House of Representatives accompanying H.R.
9 2570 of the 101st Congress (House Report 101-
10 405), including the occasional and temporary use of
11 motorized vehicles, if the use, as determined by the
12 Secretary of the Interior, would promote healthy,
13 viable, and more naturally distributed wildlife popu-
14 lations that would enhance wilderness values with
15 the minimum impact necessary to reasonably accom-
16 plish those tasks.

17 (c) EXISTING ACTIVITIES.—

18 (1) IN GENERAL.—Consistent with section
19 4(d)(1) of the Wilderness Act (16 U.S.C.
20 1133(d)(1)) and in accordance with appropriate poli-
21 cies, such as those set forth in Appendix B of the
22 report of the Committee on Interior and Insular Af-
23 fairs of the House of Representatives accompanying
24 H.R. 2570 of the 101st Congress (House Report
25 101-405), the State may continue to use aircraft,

1 including helicopters, to survey, capture, transplant,
2 monitor, and provide water for wildlife populations
3 (including bighorn sheep) and feral stock, horses,
4 and burros.

5 (2) USE OF WILDLIFE TRACKING DEVICES.—
6 Wildlife tracking devices—

7 (A) shall be allowed in the wilderness
8 areas, consistent with historic wildlife manage-
9 ment practices; and

10 (B) shall not be considered installations.

11 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—

12 Subject to subsection (f), the Secretary of the Interior
13 shall authorize structures and facilities, including existing
14 structures and facilities, for wildlife water development
15 projects, including guzzlers, in the wilderness areas if—

16 (1) the structures and facilities will, as deter-
17 mined by the Secretary of the Interior, enhance wil-
18 derness values by promoting healthy, viable, and
19 more naturally distributed wildlife populations; and

20 (2) the visual impacts of the structures and fa-
21 cilities on the wilderness areas can reasonably be
22 minimized.

23 (e) HUNTING, FISHING, AND TRAPPING.—

24 (1) IN GENERAL.—The Secretary of the Inte-
25 rior may, by regulation, designate areas in which,

1 and establish periods during which, for reasons of
2 public safety, administration, or compliance with ap-
3 plicable laws, no hunting, fishing, or trapping will be
4 permitted in the wilderness areas.

5 (2) CONSULTATION.—Except in emergencies,
6 the Secretary of the Interior shall consult with the
7 appropriate State agency before taking any action
8 under paragraph (1).

9 (f) COOPERATIVE AGREEMENT.—

10 (1) IN GENERAL.—The State, including a des-
11 ignee of the State, may conduct wildlife management
12 activities in the wilderness areas—

13 (A) in accordance with the terms and con-
14 ditions specified in the cooperative agreement
15 between the Secretary of the Interior and the
16 State entitled “Memorandum of Understanding
17 between the Bureau of Land Management and
18 the Nevada Department of Wildlife Supplement
19 No. 9” and signed November 29, 2012, includ-
20 ing any amendments to the cooperative agree-
21 ment agreed to by the Secretary and the State;
22 and

23 (B) subject to all applicable laws (including
24 regulations).

1 (2) REFERENCES.—For the purposes of this
2 subsection, any reference to Clark County in the co-
3 operative agreement described in paragraph (1)(A)
4 shall be considered to be a reference to the County.

5 **SEC. 5940. RELEASE OF WILDERNESS STUDY AREAS.**

6 (a) FINDING.—Congress finds that, for the purposes
7 of section 603(e) of the Federal Land Policy and Manage-
8 ment Act of 1976 (43 U.S.C. 1782(c)), the public land
9 in the County that is administered by the Bureau of Land
10 Management in the following areas has been adequately
11 studied for wilderness designation:

12 (1) The Stillwater Range Wilderness Study
13 Area.

14 (2) The Job Peak Wilderness Study Area.

15 (3) The Clan Alpine Mountains Wilderness
16 Study Area.

17 (4) That portion of the Augusta Mountains
18 Wilderness Study Area located within the County.

19 (5) That portion of the Desatoya Mountains
20 Wilderness Study Area located within the County.

21 (6) Any portion of any other wilderness study
22 area located in the County that is not a wilderness
23 area.

24 (b) RELEASE.—The public land described in sub-
25 section (a)—

1 (1) is no longer subject to section 603(c) of the
2 Federal Land Policy and Management Act of 1976
3 (43 U.S.C. 1782(c));

4 (2) shall be managed in accordance with—

5 (A) land management plans adopted under
6 section 202 of that Act (43 U.S.C. 1712); and

7 (B) existing cooperative conservation
8 agreements; and

9 (3) shall be subject to the Endangered Species
10 Act of 1973 (16 U.S.C. 1531 et seq.).

11 **SEC. 5941. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
12 **USES.**

13 Nothing in this part diminishes the rights of any In-
14 dian Tribe, including the rights of an Indian Tribe with
15 respect to access to Federal land for Tribal activities, in-
16 cluding spiritual, cultural, and traditional food-gathering
17 activities of an Indian Tribe.

18 **PART 5—CRITICAL TRANSPORTATION AND**
19 **UTILITY CORRIDORS IN CHURCHILL COUNTY**

20 **SEC. 5945. MANAGEMENT OF CRITICAL TRANSPORTATION**
21 **AND UTILITY CORRIDORS.**

22 (a) PURPOSE.—The purpose of this part is to main-
23 tain for future development certain corridors for transpor-
24 tation and utility infrastructure in the County.

1 (b) IN GENERAL.—The Secretary of the Interior
2 shall manage the land located within the corridors de-
3 scribed in subsection (b) in accordance with this section.

4 (c) CORRIDORS DESCRIBED.—The corridors covered
5 by subsection (a) are the following:

6 (1) The corridors depicted as the “County Pre-
7 ferred I–11 Corridor” and “NDOT I–11 Corridor”
8 on the Map (referred to in this section as the “Inter-
9 state 11 corridors”).

10 (2) The corridor depicted as “Sand Canyon/Red
11 Mountain Road Realignment” on the Map (referred
12 to in this section as the “Sand Canyon/Red Moun-
13 tain Road Realignment corridor”).

14 (d) PUBLIC AVAILABILITY OF MAP.—A copy of the
15 Map referred to in subsection (b)(2) shall be on file and
16 available for public inspection in the appropriate offices
17 of the Bureau of Land Management.

18 (e) WITHDRAWAL OF LAND.—

19 (1) IN GENERAL.—Subject to paragraph (2)
20 and any valid rights in existence on the date of en-
21 actment of this Act, the land located within the cor-
22 ridors described in subsection (b) is withdrawn
23 from—

24 (A) location and entry under the mining
25 laws; and

1 (B) disposition under all laws pertaining to
2 mineral and geothermal leasing or mineral ma-
3 terials.

4 (2) TERMINATION OF WITHDRAWAL.—A with-
5 drawal under paragraph (1) shall terminate on the
6 date on which—

7 (A) the Secretary of the Interior, in coordi-
8 nation with the County, terminates the with-
9 drawal; or

10 (B) the applicable corridor or land is pat-
11 ented.

12 (f) TRANSPORTATION AND UTILITY CORRIDORS.—
13 Notwithstanding sections 202 and 203 of the Federal
14 Land Policy and Management Act of 1976 (43 U.S.C.
15 1712, 1713), the Secretary of the Interior, in consultation
16 with the State and the County, shall establish, in accord-
17 ance with this section and any other applicable law the
18 following:

19 (1) A 2,640-foot-wide right-of-way within each
20 of the Interstate 11 corridors for the placement, on
21 a nonexclusive basis, of—

22 (A) utility infrastructure; and

23 (B) transportation infrastructure for Inter-
24 state 11.

1 (2) A 1,000-foot-wide right-of-way within the
2 Sand Canyon/Red Mountain Road Realignment cor-
3 ridor for the placement, on a nonexclusive basis,
4 of—

5 (A) utility infrastructure; and

6 (B) transportation infrastructure for the
7 Sand Canyon/Red Mountain Road Realignment
8 corridor.

9 (3) A 2,640-foot-wide right-of-way immediately
10 west of the existing north-south powerline along
11 State Route 121 to the intersection with U.S. High-
12 way 50, as depicted on the map referred to in sub-
13 section (b)(2), for the placement, on a nonexclusive
14 basis, of utility infrastructure.

15 (4) A 2,640-foot-wide right-of-way immediately
16 north of U.S. Highway 50, as depicted on the map
17 referred to in subsection (b)(2), for the placement,
18 on a nonexclusive basis, of utility infrastructure.

19 (5) A 2,640-foot-wide right-of-way immediately
20 south of the existing east-west transmission corridor
21 across the Dixie Valley, as depicted on the map re-
22 ferred to in subsection (b)(2), for the placement, on
23 a nonexclusive basis, of utility infrastructure.

1 **PART 6—COUNTY AND MUNICIPAL**
2 **CONVEYANCES**

3 **SEC. 5946. DEFINITIONS.**

4 In this part:

5 (1) **CITY.**—The term “City” means the city of
6 Fallon, Nevada.

7 (2) **PUBLIC PURPOSE.**—The term “public pur-
8 pose” includes any of the following:

9 (A) The construction and operation of a
10 new County fire station.

11 (B) The operation or expansion of an ex-
12 isting County wastewater treatment facility.

13 (C) The operation or expansion of existing
14 County gravel pits and rock quarries.

15 (D) The operation or expansion of an ex-
16 isting City landfill.

17 **SEC. 5947. PURPOSES.**

18 The purposes of this part are—

19 (1) to help account for the loss by the County
20 of taxable land as a result of the military land with-
21 drawal made by this title; and

22 (2) to provide for the conveyance by the Sec-
23 retary of the Interior to the County and the City of
24 Federal land that is suitable for public purposes.

1 **SEC. 5948. LAND CONVEYANCES TO COUNTY.**

2 (a) CONVEYANCE REQUIRED.—Notwithstanding sec-
3 tion 202 of the Federal Land Policy and Management Act
4 of 1976 (43 U.S.C. 1712), the Secretary of the Interior
5 shall convey to the County, subject to valid existing rights
6 and subsection (b), for no consideration, all right, title,
7 and interest of the United States in and to the approxi-
8 mately 7,045 acres of Federal land identified as “Public
9 Purpose Conveyances to Churchill County” on the Map.

10 (b) REVERSION.—If a parcel of Federal land con-
11 veyed to the County under subsection (a) ceases to be used
12 for public recreation or other public purposes consistent
13 with the Act of June 14, 1926 (commonly known as the
14 “Recreation and Public Purposes Act”; 43 U.S.C. 869 et
15 seq.), the parcel of Federal land shall, at the discretion
16 of the Secretary of the Interior, revert to the United
17 States.

18 **SEC. 5949. LAND CONVEYANCE TO CITY.**

19 (a) IN GENERAL.—Notwithstanding section 202 of
20 the Federal Land Policy and Management Act of 1976
21 (43 U.S.C. 1712), the Secretary of the Interior shall con-
22 vey to the City, subject to valid existing rights and sub-
23 section (b), for no consideration, all right, title, and inter-
24 est of the United States in and to the approximately 212
25 acres of Federal land identified as “Public Purpose Con-
26 veyances to City of Fallon” on the Map.

1 (b) REVERSION.—If a parcel of Federal land con-
2 veyed to the City under subsection (a) ceases to be used
3 for public recreation or other public purposes consistent
4 with the Act of June 14, 1926 (commonly known as the
5 “Recreation and Public Purposes Act”; 43 U.S.C. 869 et
6 seq.), the parcel of Federal land shall, at the discretion
7 of the Secretary of the Interior, revert to the United
8 States.

9 **PART 7—CHECKERBOARD RESOLUTION**

10 **SEC. 5950. CONSOLIDATION OF CHECKERBOARD LAND**

11 **OWNERSHIP IN CHURCHILL COUNTY, NE-**

12 **VADA.**

13 (a) IN GENERAL.—The Secretary of the Interior, in
14 consultation with the County and landowners in the Coun-
15 ty, and after providing an opportunity for public comment,
16 shall seek to consolidate Federal land and non-Federal
17 land ownership in the County.

18 (b) LAND EXCHANGES.—

19 (1) LAND EXCHANGE AUTHORITY.—To the ex-
20 tent practicable, the Secretary of the Interior shall
21 offer to exchange land identified for exchange under
22 paragraph (3) for private land in the County that is
23 adjacent to Federal land in the County, if the ex-
24 change would consolidate land ownership and facili-

1 tate improved land management in the County, as
2 determined by the Secretary of the Interior.

3 (2) APPLICABLE LAW.—Except as otherwise
4 provided in this section, a land exchange under this
5 section shall be conducted in accordance with—

6 (A) section 206 of the Federal Land Policy
7 and Management Act of 1976 (43 U.S.C.
8 1716); and

9 (B) any other applicable law.

10 (3) IDENTIFICATION OF FEDERAL LAND FOR
11 EXCHANGE.—Subject to section 5951, the Secretary
12 of the Interior shall identify Federal land in the
13 County managed by the Commissioner of the Bu-
14 reau of Reclamation and Federal land in the County
15 managed by the Director of the Bureau of Land
16 Management to offer for exchange from Federal
17 land identified as potentially suitable for disposal in
18 an applicable resource management plan.

19 (c) EQUAL VALUE LAND EXCHANGES.—

20 (1) IN GENERAL.—Land to be exchanged under
21 this section shall be of equal value, based on ap-
22 praisals prepared in accordance with—

23 (A) the Uniform Standards for Profes-
24 sional Land Acquisitions; and

1 (B) the Uniform Standards of Professional
2 Appraisal Practice.

3 (2) USE OF MASS APPRAISALS.—

4 (A) IN GENERAL.—Subject to subpara-
5 graph (B), the Secretary of the Interior may
6 use a mass appraisal to determine the value of
7 land to be exchanged under this section, if the
8 Secretary of the Interior determines that the
9 land to be subject to the mass appraisal is of
10 similar character and value.

11 (B) EXCLUSION.—The Secretary of the In-
12 terior shall exclude from a mass appraisal
13 under subparagraph (A) any land, the value of
14 which is likely to exceed \$250 per acre, as de-
15 termined by the Secretary of the Interior.

16 (C) AVAILABILITY.—The Secretary of the
17 Interior shall make the results of a mass ap-
18 praisal conducted under subparagraph (A)
19 available to the public.

20 **SEC. 5951. LAND IDENTIFIED FOR DISPOSAL.**

21 (a) IDENTIFICATION PROCESS.—

22 (1) IN GENERAL.—Subject to section 5952, the
23 Secretary of the Interior, in consultation with the
24 County and after providing an opportunity for public
25 comment, shall identify Federal land in the County

1 managed by the Commissioner of the Bureau of
2 Reclamation and Federal land in the County man-
3 aged by the Director of the Bureau of Land Man-
4 agement to offer for sale from Federal land identi-
5 fied as potentially suitable for disposal in an applica-
6 ble resource management plan.

7 (2) POSTPONEMENT OR EXCLUSION.—

8 (A) ON REQUEST OF COUNTY.—At the re-
9 quest of the County, the Secretary of the Inte-
10 rior shall—

11 (i) postpone a sale of Federal land
12 under this section; or

13 (ii) exclude from the sale all or a por-
14 tion of Federal land identified for sale
15 under this section.

16 (B) AT DISCRETION OF SECRETARY OF
17 THE INTERIOR.—Nothing in this section pro-
18 hibits the Secretary of the Interior from—

19 (i) postponing a sale of Federal land
20 under this section; or

21 (ii) excluding all or a portion of Fed-
22 eral land identified for sale under this sec-
23 tion.

1 (3) VALID EXISTING RIGHTS.—A sale of Fed-
2 eral land under this section is subject to valid exist-
3 ing rights.

4 (b) METHOD OF SALE.—A sale of Federal land under
5 subsection (a) shall be—

6 (1) consistent with section 203 of the Federal
7 Land Policy and Management Act of 1976 (43
8 U.S.C. 1713);

9 (2) through a competitive bidding process, un-
10 less otherwise determined by the Secretary of the In-
11 terior; and

12 (3) for not less than fair market value.

13 (c) LIMITATION.—Not more than a total of 50,000
14 acres of Federal land in the County shall be sold under
15 this section.

16 **SEC. 5952. MANAGEMENT PRIORITY AREAS.**

17 (a) IN GENERAL.—Not later than one year after the
18 date of enactment of this Act, the Secretary of the Interior
19 shall identify management priority areas on Federal land
20 in the County that—

21 (1) include greater sage-grouse habitat;

22 (2)(A) are designated as critical habitat;

23 (B) are part of an identified wildlife corridor; or

24 (C) contain significant wetlands or riparian
25 wildlife habitat;

1 (3) are within the boundary of—

2 (A) a unit of the National Wildlife Refuge
3 System;

4 (B) a National Conservation Area; or

5 (C) a component of the National Wilder-
6 ness Preservation System;

7 (4)(A) have value for outdoor recreation; or

8 (B) provide public access for recreational hunt-
9 ing, fishing, or other recreational purposes that can-
10 not be otherwise mitigated;

11 (5)(A) contain resources that are listed on, or
12 eligible for inclusion on, the National Register of
13 Historic Places; or

14 (B) have significant cultural, historic, ecologi-
15 cal, or scenic value; or

16 (6) would improve Federal land management.

17 (b) IDENTIFICATION OF ADDITIONAL MANAGEMENT

18 PRIORITY AREAS.—As the Secretary of the Interior deter-

19 mines to be appropriate, the Secretary of the Interior may

20 identify additional management priority areas in the

21 County after the date on which the identification under

22 subsection (a) is completed.

23 (c) MANAGEMENT.—Nothing in this section modifies

24 the management of an area identified as a management

25 priority area under this section based on the identification.

1 (d) MANAGEMENT PRIORITY AREAS EXCLUDED
2 FROM SALE OR EXCHANGE.—Federal land identified as
3 a management priority area under this section—

4 (1) shall be retained in Federal ownership; and
5 (2) shall not be available for disposal or convey-
6 ance, including by sale or exchange, under this part.

7 **SEC. 5953. WITHDRAWAL.**

8 (a) INTERIM WITHDRAWAL.—Subject to valid exist-
9 ing rights and mining claims for which the claim mainte-
10 nance fee has been paid in the applicable assessment year,
11 effective on the date on which a parcel of Federal land
12 is identified for exchange under section 5950(b)(3) or sale
13 under section 5951(a)(1), the parcel of Federal land is
14 withdrawn from—

15 (1) all forms of entry and appropriation under
16 the public land laws;

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

19 (3) operation of the mineral and mineral mate-
20 rials leasing laws.

21 (b) TERMINATION OF WITHDRAWAL.—The with-
22 drawal of a parcel of Federal land under subsection (a)
23 shall terminate—

24 (1)(A) on the date of sale; or

1 (B) in the case of exchange, the date of the
2 conveyance of the title to the Federal land covered
3 by the exchange;

4 (2) with respect to any parcel of Federal land
5 identified for exchange under section 5950(b)(3) or
6 sale under section 5951(a)(1) that is not exchanged
7 or sold, not later than 2 years after the date the
8 parcel of Federal land was offered for exchange or
9 sale under this part; or

10 (3) on a different date mutually agreed to by
11 the Secretary of the Interior and the County.

12 **SEC. 5954. DISPOSITION OF PROCEEDS.**

13 (a) IN GENERAL.—Of the proceeds from the sale of
14 Federal land under section 5951—

15 (1) five percent shall be disbursed to the State
16 for use in the general education program of the
17 State; and

18 (2) the remainder shall be deposited in a special
19 account in the Treasury of the United States, to be
20 known as the “Churchill County Special Account”,
21 which shall be available to the Secretary of the Inte-
22 rior, without further appropriation, for—

23 (A) the reimbursement of costs incurred by
24 the Secretary of the Interior in preparing for a

1 sale or exchange of Federal land under this
2 part; and

3 (B) the acquisition of land (including in-
4 terests in land) in the County—

5 (i) for inclusion in a component of the
6 National Wilderness Preservation System
7 or a national conservation area designated
8 by this subtitle;

9 (ii) that protects other environ-
10 mentally significant land;

11 (iii) that is identified as a manage-
12 ment priority area under section 5952; or

13 (iv) that secures public access to Fed-
14 eral land for hunting, fishing, and other
15 recreational purposes.

16 (b) LIMITATION.—The proceeds from the sale of Fed-
17 eral land under section 5951 shall not be used for the ac-
18 quisition of any water rights.

19 **PART 8—TRANSPORTATION AND UTILITY**
20 **CORRIDORS**

21 **SEC. 5955. RULES OF CONSTRUCTION RELATED TO TRANS-**
22 **PORTATION AND UTILITY CORRIDORS.**

23 (a) RULES OF CONSTRUCTION.—Nothing in this sub-
24 title—

1 (1) affects the existence, use, operation, mainte-
2 nance, repair, construction, reconfiguration, expan-
3 sion, inspection, renewal, reconstruction, alteration,
4 addition, relocation improvement funding, removal
5 or replacement of any utility facility or appurtenant
6 right-of-way within an existing designated transpor-
7 tation and utility corridor; or

8 (2) precludes the Secretary of the Interior from
9 authorizing, subject to such terms and conditions as
10 the Secretary of the Interior determines to be appro-
11 priate, the establishment of a new utility facility
12 right-of-way within an existing designated transpor-
13 tation and utility corridor in accordance with—

14 (A) the National Environmental Policy Act
15 of 1969 (42 U.S.C. 4321 et seq.); and

16 (B) any other applicable law.

17 (b) **PRESERVING DESIGNATED UTILITY CORRIDORS**
18 **AND RIGHTS-OF-WAY.**—Notwithstanding any provision of
19 this subtitle, no designation of Federal land under this
20 subtitle shall include land encompassed within a des-
21 ignated utility transmission corridor or a transmission line
22 right-of-way grant approved by the Bureau of Land Man-
23 agement in a record of decision issued before the date of
24 enactment of this Act. Nothing in this subtitle prohibits

1 access to, repair or replacement of a transmission line
2 within a right-of-way grant issued before such date.

3 **Subtitle B—Northern Nevada Eco-**
4 **conomic Development and Con-**
5 **servation**

6 **PART 1—RUBY MOUNTAINS PROTECTION**

7 **SEC. 5956. WITHDRAWAL OF CERTAIN NATIONAL FOREST**
8 **SYSTEM LAND.**

9 (a) WITHDRAWAL.—Subject to valid existing rights,
10 the approximately 309,272 acres of Federal land and in-
11 terests in the land located in the Ruby Mountains subdis-
12 trict of the Humboldt-Toiyabe National Forest within the
13 area depicted on the Forest Service map entitled “S. 258
14 Ruby Mountains Protective Act” and dated December 5,
15 2019, as “National Forest System Lands” are withdrawn
16 from all forms of operation under the mineral leasing laws.

17 (b) APPLICATION.—Any land or interest in land with-
18 in the boundary of the Ruby Mountains subdistrict of the
19 Humboldt-Toiyabe National Forest that is acquired by the
20 United States after the date of enactment of this Act shall
21 be withdrawn in accordance with subsection (a).

22 (c) AVAILABILITY OF MAP.—The map described in
23 subsection (a) shall be on file and available for public in-
24 spection in the appropriate offices of the Forest Service.

1 **SEC. 5957. WITHDRAWAL OF CERTAIN NATIONAL WILDLIFE**
2 **REFUGE SYSTEM LAND.**

3 (a) WITHDRAWAL.—

4 (1) IN GENERAL.—Subject to valid existing
5 rights, the approximately 39,926.10 acres of Federal
6 land and interests in the land located in the Ruby
7 Lake National Wildlife Refuge and depicted on the
8 United States Fish and Wildlife Service map entitled
9 “S. XXX Ruby Mountains Protection Act” and
10 dated February 23, 2021, as “Ruby Lake National
11 Wildlife Refuge” are withdrawn from all forms of
12 operation under the mineral leasing laws, subject to
13 paragraph (2).

14 (2) EXCEPTION.—The withdrawal under para-
15 graph (1) shall not apply to noncommercial refuge
16 management activities by the United States Fish
17 and Wildlife Service.

18 (b) APPLICATION.—Any land or interest in land with-
19 in the boundary of the Ruby Lake National Wildlife Ref-
20 uge that is acquired by the United States after the date
21 of enactment of this Act shall be withdrawn in accordance
22 with subsection (a).

23 (c) AVAILABILITY OF MAP.—The map described in
24 subsection (a)(1) shall be on file and available for public
25 inspection in the appropriate offices of the United States
26 Fish and Wildlife Service.

1 **PART 2—DOUGLAS COUNTY**

2 **SEC. 5960. PURPOSE; DEFINITIONS.**

3 (a) **PURPOSE.**—The purpose of this part is to pro-
4 mote conservation, improve public land, and provide for
5 sensible development in Douglas County, Nevada, and for
6 other purposes.

7 (b) **DEFINITIONS.**—In this part:

8 (1) **COUNTY.**—The term “County” means
9 Douglas County, Nevada.

10 (2) **MAP.**—The term “Map” means the map en-
11 titled “Douglas County Economic Development and
12 Conservation Act” and dated October 14, 2019.

13 (3) **PUBLIC LAND.**—The term “public land”
14 has the meaning given the term “public lands” in
15 section 103 of the Federal Land Policy and Manage-
16 ment Act of 1976 (43 U.S.C. 1702).

17 (4) **SECRETARY CONCERNED.**—The term “Sec-
18 retary concerned” means—

19 (A) with respect to National Forest Sys-
20 tem land, the Secretary of Agriculture (acting
21 through the Chief of the Forest Service); and

22 (B) with respect to land managed by the
23 Bureau of Land Management, including land
24 held for the benefit of the Tribe, the Secretary
25 of the Interior.

1 (5) STATE.—The term “State” means the State
2 of Nevada.

3 (6) TRIBE.—The term “Tribe” means the
4 Washoe Tribe of Nevada and California.

5 (7) WILDERNESS.—The term “Wilderness”
6 means the Burbank Canyons Wilderness designated
7 by this part.

8 **Subpart A—Land Conveyances and Sales**

9 **SEC. 5961. CONVEYANCE TO STATE OF NEVADA.**

10 (a) CONVEYANCE.—Subject to valid existing rights,
11 the Secretary concerned shall convey to the State without
12 consideration all right, title, and interest of the United
13 States in and to the land described in subsection (b).

14 (b) DESCRIPTION OF LAND.—The land referred to in
15 subsection (a) is the approximately 67 acres of Forest
16 Service land generally depicted as “Lake Tahoe-Nevada
17 State Park” on the Map.

18 (c) COSTS.—As a condition for the conveyance under
19 subsection (a), all costs associated with such conveyances
20 shall be paid by the State.

21 (d) USE OF LAND.—

22 (1) IN GENERAL.—Any land conveyed to the
23 State under subsection (a) shall be used only for—

24 (A) the conservation of wildlife or natural
25 resources; or

1 (B) a public park.

2 (2) FACILITIES.—Any facility on the land con-
3 veyed under subsection (a) shall be constructed and
4 managed in a manner consistent with the uses de-
5 scribed in paragraph (1).

6 (e) REVERSION.—If any portion of the land conveyed
7 under subsection (a) is used in a manner that is incon-
8 sistent with the uses described in subsection (d), the land
9 shall, at the discretion of the Secretary concerned, revert
10 to the United States.

11 **SEC. 5962. TAHOE RIM TRAIL.**

12 (a) IN GENERAL.—The Secretary of Agriculture, in
13 consultation with the County and other stakeholders, shall
14 develop and implement a cooperative management agree-
15 ment for the land described in subsection (b)—

16 (1) to improve the quality of recreation access
17 by providing additional amenities as agreed on by
18 the Secretary of Agriculture and the County; and

19 (2) to conserve the natural resources values.

20 (b) DESCRIPTION OF LAND.—The land referred to in
21 subsection (a) consists of the approximately 13 acres of
22 land generally depicted as “Tahoe Rim Trail North Par-
23 cel” on the Map.

1 **SEC. 5963. CONVEYANCE TO DOUGLAS COUNTY, NEVADA.**

2 (a) DEFINITION OF FEDERAL LAND.—In this sec-
3 tion, the term “Federal land” means the approximately
4 7,777 acres of Federal land located in the County that
5 is identified as “Douglas County Land Conveyances” on
6 the Map.

7 (b) AUTHORIZATION OF CONVEYANCE.—Subject to
8 valid existing rights and notwithstanding the land use
9 planning requirements of section 202 of the Federal Land
10 Policy and Management Act of 1976 (43 U.S.C. 1712),
11 not later than 180 days after the date on which the Sec-
12 retary concerned receives a request from the County for
13 the conveyance of the Federal land, the Secretary con-
14 cerned shall convey to the County, without consideration,
15 all right, title, and interest of the United States in and
16 to the Federal land.

17 (c) COSTS.—Any costs relating to the conveyance au-
18 thorized under subsection (b), including any costs for sur-
19 veys and other administrative costs, shall be paid by the
20 County.

21 (d) USE OF FEDERAL LAND.—

22 (1) IN GENERAL.—The Federal land conveyed
23 under subsection (b)—

24 (A) may be used by the County for flood
25 control or any other public purpose consistent
26 with the Act of June 14, 1926 (commonly

1 known as the “Recreation and Public Purposes
2 Act”; 43 U.S.C. 869 et seq.); and

3 (B) shall not be disposed of by the County.

4 (2) REVERSION.—If the Federal land conveyed
5 under subsection (b) is used in a manner incon-
6 sistent with paragraph (1), the Federal land shall, at
7 the discretion of the Secretary concerned, revert to
8 the United States.

9 (e) ACQUISITION OF FEDERAL REVERSIONARY IN-
10 TEREST.—

11 (1) REQUEST.—The County may submit to the
12 Secretary concerned a request to acquire the Federal
13 reversionary interest in all or any portion of the
14 Federal land conveyed under this section.

15 (2) APPRAISAL.—

16 (A) IN GENERAL.—Not later than 180
17 days after the date of receipt of a request under
18 paragraph (1), the Secretary concerned shall
19 complete an appraisal of the Federal rever-
20 sionary interest in the Federal land requested
21 by the County.

22 (B) REQUIREMENT.—The appraisal under
23 subparagraph (A) shall be completed in accord-
24 ance with—

1 (i) the Uniform Appraisal Standards
2 for Federal Land Acquisitions; and

3 (ii) the Uniform Standards of Profes-
4 sional Appraisal Practice.

5 (3) CONVEYANCE REQUIRED.—

6 (A) IN GENERAL.—If, by the date that is
7 1 year after the date of completion of the ap-
8 praisal under paragraph (2), the County sub-
9 mits to the Secretary concerned an offer to ac-
10 quire the Federal reversionary interest re-
11 quested under paragraph (1), the Secretary
12 concerned, by not later than the date that is 30
13 days after the date on which the offer is sub-
14 mitted, shall convey to the County that rever-
15 sionary interest.

16 (B) CONSIDERATION.—As consideration
17 for the conveyance of the Federal reversionary
18 interest under subparagraph (A), the County
19 shall pay to the Secretary concerned an amount
20 equal to the appraised value of the Federal re-
21 versionary interest, as determined under para-
22 graph (2).

23 (C) COSTS OF CONVEYANCE.—Any costs
24 relating to the conveyance under subparagraph
25 (A), including any costs for surveys and other

1 administrative costs, shall be paid by the Sec-
2 retary concerned.

3 (4) DISPOSITION OF PROCEEDS.—Any amounts
4 collected under this subsection shall be disposed of
5 in accordance with section 5964(i).

6 (f) REVOCATION OF ORDERS.—Any public land order
7 that withdraws any of the land described in subsection (a)
8 from appropriation or disposal under a public land law
9 shall be revoked to the extent necessary to permit disposal
10 of that land.

11 **SEC. 5964. SALE OF CERTAIN FEDERAL LAND.**

12 (a) IN GENERAL.—Notwithstanding sections 202 and
13 203 of the Federal Land Policy and Management Act of
14 1976 (43 U.S.C. 1712, 1713), the Secretary concerned
15 shall, in accordance with the other provisions of that Act
16 and any other applicable law, and subject to valid existing
17 rights, conduct one or more sales of the Federal land in-
18 cluding mineral rights described in subsection (b) to quali-
19 fied bidders.

20 (b) DESCRIPTION OF LAND.—The Federal land re-
21 ferred to in subsection (a) consists of—

22 (1) the approximately 59.5 acres of public land
23 generally depicted as “Lands for Disposal” on the
24 Map; and

1 (2) not more than 10,000 acres of land in the
2 County that—

3 (A) is not segregated or withdrawn on or
4 after the date of enactment of this Act, unless
5 the land is withdrawn in accordance with sub-
6 section (g); and

7 (B) is identified for disposal by the Sec-
8 retary concerned through—

9 (i) the Carson City Consolidated Re-
10 source Management Plan; or

11 (ii) any subsequent amendment to the
12 management plan that is undertaken with
13 full public involvement.

14 (c) JOINT SELECTION REQUIRED.—The Secretary
15 concerned and the County shall jointly select which parcels
16 of the Federal land described in subsection (b)(2) to offer
17 for sale under subsection (a).

18 (d) COMPLIANCE WITH LOCAL PLANNING AND ZON-
19 ING LAWS.—Before carrying out a sale of Federal land
20 under subsection (a), the County shall submit to the Sec-
21 retary concerned a certification that qualified bidders have
22 agreed to comply with—

23 (1) County zoning ordinances; and

24 (2) any master plan for the area approved by
25 the County.

1 (e) METHOD OF SALE.—The sale of Federal land
2 under subsection (a) shall be—

3 (1) sold through a competitive bidding process,
4 unless otherwise determined by the Secretary con-
5 cerned; and

6 (2) for not less than fair market value.

7 (f) RECREATION AND PUBLIC PURPOSES ACT CON-
8 VEYANCES.—

9 (1) IN GENERAL.—Not later than 30 days be-
10 fore any land described in subsection (b) is offered
11 for sale under subsection (a), the State or County
12 may elect to obtain the land for public purposes in
13 accordance with the Act of June 14, 1926 (com-
14 monly known as the “Recreation and Public Pur-
15 poses Act”; 43 U.S.C. 869 et seq.).

16 (2) RETENTION.—Pursuant to an election made
17 under paragraph (1), the Secretary concerned shall
18 retain the elected land for conveyance to the State
19 or County in accordance with the Act of June 14,
20 1926 (commonly known as the “Recreation and
21 Public Purposes Act”; 43 U.S.C. 869 et seq.).

22 (g) WITHDRAWAL.—

23 (1) IN GENERAL.—Subject to valid existing
24 rights and except as provided in paragraph (2), the

1 Federal land described in subsection (b) is with-
2 drawn from—

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

5 (B) location, entry, and patent under the
6 mining laws; and

7 (C) disposition under all laws relating to
8 mineral and geothermal leasing or mineral ma-
9 terials.

10 (2) **TERMINATION.**—The withdrawal under
11 paragraph (1) shall be terminated—

12 (A) on the date of sale or conveyance of
13 title to the land including mineral rights de-
14 scribed in subsection (b) pursuant to this part;
15 or

16 (B) with respect to any land described in
17 subsection (b) that is not sold or exchanged,
18 not later than 1 year after the date on which
19 the land was offered for sale under this part.

20 (3) **EXCEPTION.**—Paragraph (1)(A) shall not
21 apply to a sale made consistent with this section or
22 an election by the County or the State to obtain the
23 land described in subsection (b) for public purposes
24 under the Act of June 14, 1926 (commonly known

1 as the “Recreation and Public Purposes Act”; 43
2 U.S.C. 869 et seq.).

3 (h) DEADLINE FOR SALE.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), not later than 1 year after the date of en-
6 actment of this Act, if there is a qualified bidder for
7 the land described in subsection (b), the Secretary
8 concerned shall offer the land for sale to the quali-
9 fied bidder.

10 (2) POSTPONEMENT; EXCLUSION FROM SALE.—

11 At the request of the County, the Secretary con-
12 cerned may temporarily postpone or exclude from
13 the sale under paragraph (1) all or a portion of the
14 land described in subsection (b).

15 (i) DISPOSITION OF PROCEEDS.—Of the proceeds
16 from the sale under this section—

17 (1) 5 percent shall be disbursed to the State for
18 use by the State for general education programs of
19 the State;

20 (2) 10 percent shall be disbursed to the County
21 for use by the County for general budgeting pur-
22 poses; and

23 (3) 85 percent shall be deposited in a special
24 account in the Treasury of the United States, to be
25 known as the “Douglas County Special Account”,

1 which shall be available to the Secretary concerned
2 until expended, without further appropriation—

3 (A) to reimburse costs incurred by the Sec-
4 retary concerned in preparing for the sale of
5 the land described in subsection (b), includ-
6 ing—

7 (i) the costs of surveys and appraisals;

8 and

9 (ii) the costs of compliance with the
10 National Environmental Policy Act of
11 1969 (42 U.S.C. 4321 et seq.) and sec-
12 tions 202 and 203 of the Federal Land
13 Policy and Management Act of 1976 (43
14 U.S.C. 1712, 1713);

15 (B) to reimburse costs incurred by the Bu-
16 reau of Land Management and the Forest Serv-
17 ice in preparing for and carrying out the trans-
18 fers of land to be held in trust by the United
19 States under section 5966; and

20 (C) to acquire environmentally sensitive
21 land or an interest in environmentally sensitive
22 land in the County—

23 (i) pursuant to the Douglas County
24 Open Space and Agricultural Lands Pres-
25 ervation Implementation Plan, or any sub-

1 sequent amendment to the plan that is un-
2 dertaken with full public involvement; and
3 (ii) for flood control purposes.

4 (j) REVOCATION OF ORDERS.—Any public land order
5 that withdraws any of the land described in subsection (b)
6 from appropriation or disposal under a public land law
7 shall be revoked to the extent necessary to permit disposal
8 of that land.

9 **SEC. 5965. OPEN SPACE RECREATION AREA.**

10 (a) AUTHORIZATION OF CONVEYANCE.—Not later
11 than 180 days after the date on which the Secretary of
12 Agriculture receives a request from the County, the Sec-
13 retary of Agriculture shall convey to the County, without
14 consideration, all right, title, and interest of the United
15 States in and to the Federal land to be used for recreation
16 and any other public purpose consistent with the Act of
17 June 14, 1926 (commonly known as the “Recreation and
18 Public Purposes Act”; 43 U.S.C. 869 et seq.).

19 (b) DESCRIPTION OF LAND.—The land referred to in
20 subsection (a) consists of approximately 1,084 acres of
21 land as depicted as “Open Space Recreation Area” on the
22 Map.

23 (c) COSTS.—Any costs relating to the conveyance au-
24 thorized under subsection (b), including any costs for sur-

1 veys and other administrative costs, shall be paid by the
2 County.

3 (d) USE OF FEDERAL LAND.—The Federal land con-
4 veyed under subsection (a) shall not be disposed of by the
5 County.

6 **Subpart B—Tribal Cultural Resources**

7 **SEC. 5966. TRANSFER OF LAND TO BE HELD IN TRUST FOR**
8 **TRIBE.**

9 (a) IN GENERAL.—Subject to valid existing rights,
10 all right, title, and interest of the United States in and
11 to the land described in subsection (b)—

12 (1) shall be held in trust by the United States
13 for the benefit of the Tribe; and

14 (2) shall be part of the reservation of the Tribe.

15 (b) DESCRIPTION OF LAND.—The land referred to in
16 subsection (a) consists of—

17 (1) approximately 2,669 acres of Federal land
18 generally depicted as “Washoe Tribe Conveyances”
19 on the Map; and

20 (2) any land administered on the date of enact-
21 ment of this Act by the Bureau of Land Manage-
22 ment or the Forest Service and generally depicted as
23 “Section 5 lands”.

24 (c) SURVEY.—Not later than 180 days after the date
25 of enactment of this Act, the Secretary concerned shall

1 complete a survey of the boundary lines to establish the
2 boundaries of the land taken into trust under subsection
3 (a).

4 (d) USE OF TRUST LAND.—

5 (1) GAMING.—Land taken into trust under this
6 section shall not be eligible, or considered to have
7 been taken into trust, for class II gaming or class
8 III gaming (as defined in section 4 of the Indian
9 Gaming Regulatory Act (25 U.S.C. 2703)).

10 (2) THINNING; LANDSCAPE RESTORATION.—

11 (A) IN GENERAL.—The Secretary con-
12 cerned, in consultation and coordination with
13 the Tribe, may carry out any fuel reduction and
14 other landscape restoration activities on the
15 land taken into trust under subsection (a) (in-
16 cluding land that includes threatened and en-
17 dangered species habitat), that are beneficial
18 to—

19 (i) the Tribe; and

20 (ii)(I) the Bureau of Land Manage-
21 ment; or

22 (II) the Forest Service.

23 (B) CONSERVATION BENEFITS.—Activities
24 carried out under subparagraph (A) include ac-

1 tivities that provide conservation benefits to a
2 species—

3 (i) that is not listed as endangered or
4 threatened under section 4(c) of the En-
5 dangered Species Act of 1973 (16 U.S.C.
6 1533(c)); but

7 (ii) is—

8 (I) listed by a State as a threat-
9 ened or endangered species;

10 (II) a species of concern; or

11 (III) a candidate for a listing as
12 an endangered or threatened species
13 under the Endangered Species Act of
14 1973 (16 U.S.C. 1531 et seq.).

15 (e) WATER RIGHTS.—Nothing in this section affects
16 the allocation, ownership, interest, or control, as in exist-
17 ence on the date of enactment of this Act, of any water,
18 water right, or any other valid existing right held by the
19 United States, an Indian Tribe, a State, or a person.

20 **Subpart C—Resolution of Burbank Canyons**

21 **Wilderness Study Area**

22 **SEC. 5971. ADDITION TO NATIONAL WILDERNESS PRESER-**
23 **VATION SYSTEM.**

24 (a) DESIGNATION.—In furtherance of the purposes of
25 the Wilderness Act (16 U.S.C. 1131 et seq.), the approxi-

1 mately 12,392 acres of Federal land managed by the Bu-
2 reau of Land Management, as generally depicted on the
3 Map as “Burbank Canyons Wilderness” is designated as
4 wilderness and as a component of the National Wilderness
5 Preservation System, to be known as the “Burbank Can-
6 yons Wilderness”.

7 (b) BOUNDARY.—The boundary of any portion of the
8 Wilderness that is bordered by a road shall be at least
9 100 feet from the centerline of the road to allow public
10 access.

11 (c) MAP AND LEGAL DESCRIPTION.—

12 (1) IN GENERAL.—As soon as practicable after
13 the date of enactment of this Act, the Secretary con-
14 cerned shall prepare a map and legal description of
15 the Wilderness.

16 (2) EFFECT.—The map and legal description
17 prepared under paragraph (1) shall have the same
18 force and effect as if included in this part, except
19 that the Secretary concerned may correct any minor
20 error in the map or legal description.

21 (3) AVAILABILITY.—A copy of the map and
22 legal description prepared under paragraph (1) shall
23 be on file and available for public inspection in the
24 appropriate offices of the Bureau of Land Manage-
25 ment.

1 (d) WITHDRAWAL.—Subject to valid existing rights,
2 the Wilderness is withdrawn from—

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

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

7 (3) disposition under all laws relating to min-
8 eral and geothermal leasing or mineral materials.

9 **SEC. 5972. ADMINISTRATION.**

10 (a) MANAGEMENT.—Subject to valid existing rights,
11 the Wilderness shall be administered by the Secretary con-
12 cerned in accordance with the Wilderness Act (16 U.S.C.
13 1131 et seq.), except that—

14 (1) any reference in that Act to the effective
15 date shall be considered to be a reference to the date
16 of enactment of this Act; and

17 (2) any reference in that Act to the Secretary
18 of Agriculture shall be considered to be a reference
19 to the Secretary of the Interior.

20 (b) LIVESTOCK.—The grazing of livestock in the Wil-
21 derness, if established before the date of enactment of this
22 Act, shall be allowed to continue, subject to such reason-
23 able regulations, policies, and practices as the Secretary
24 concerned considers to be necessary in accordance with—

1 (1) section 4(d)(4) of the Wilderness Act (16
2 U.S.C. 1133(d)(4)); and

3 (2) the guidelines set forth in Appendix A of
4 the report of the Committee on Interior and Insular
5 Affairs of the House of Representatives accom-
6 panying H.R. 2570 of the 101st Congress (House
7 Report 101–405).

8 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
9 ESTS.—Any land or interest in land within the boundaries
10 of the Wilderness that is acquired by the United States
11 after the date of enactment of this Act shall be added to
12 and administered as part of the Wilderness.

13 (d) ADJACENT MANAGEMENT.—

14 (1) IN GENERAL.—Congress does not intend for
15 the designation of the Wilderness to create a protec-
16 tive perimeter or buffer zone around the Wilderness.

17 (2) NONWILDERNESS ACTIVITIES.—The fact
18 that nonwilderness activities or uses can be seen or
19 heard from areas within the Wilderness shall not
20 preclude the conduct of the activities or uses outside
21 the boundary of the Wilderness.

22 (e) MILITARY OVERFLIGHTS.—Nothing in this part
23 restricts or precludes—

1 (1) low-level overflights of military aircraft over
2 the Wilderness, including military overflights that
3 can be seen or heard within the wilderness area;

4 (2) flight testing and evaluation; or

5 (3) the designation or creation of new units of
6 special use airspace, or the establishment of military
7 flight training routes, over the Wilderness.

8 (f) EXISTING AIRSTRIPS.—Nothing in this part re-
9 stricts or precludes low-level overflights by aircraft uti-
10 lizing airstrips in existence on the date of enactment of
11 this Act that are located within 5 miles of the proposed
12 boundary of the Wilderness.

13 (g) WILDFIRE, INSECT, AND DISEASE MANAGE-
14 MENT.—In accordance with section 4(d)(1) of the Wilder-
15 ness Act (16 U.S.C. 1133(d)(1)), the Secretary concerned
16 may take any measures in the Wilderness that the Sec-
17 retary concerned determines to be necessary for the con-
18 trol of fire, insects, and diseases, including, as the Sec-
19 retary concerned determines to be appropriate, the coordi-
20 nation of the activities with the State or a local agency.

21 (h) DATA COLLECTION.—In accordance with the Wil-
22 derness Act (16 U.S.C. 1131 et seq.) and subject to such
23 terms and conditions as the Secretary concerned may pre-
24 scribe, the Secretary concerned may authorize the installa-
25 tion and maintenance of hydrologic, meteorologic, or cli-

1 matological collection devices in the Wilderness if the Sec-
2 retary concerned determines that the facilities and access
3 to the facilities are essential to flood warning, flood con-
4 trol, or water reservoir operation activities.

5 (i) WATER RIGHTS.—

6 (1) FINDINGS.—Congress finds that—

7 (A) the Wilderness is located—

8 (i) in the semiarid region of the Great
9 Basin; and

10 (ii) at the headwaters for the streams
11 and rivers on land with respect to which
12 there are few, if any—

13 (I) actual or proposed water re-
14 source facilities located upstream; and

15 (II) opportunities for diversion,
16 storage, or other uses of water occur-
17 ring outside the land that would ad-
18 versely affect the wilderness values of
19 the land;

20 (B) the Wilderness is generally not suitable
21 for use or development of new water resource
22 facilities; and

23 (C) because of the unique nature of the
24 Wilderness, it is possible to provide for proper
25 management and protection of the wilderness

1 and other values of land by means different
2 from the means used in other laws.

3 (2) PURPOSE.—The purpose of this section is
4 to protect the wilderness values of the Wilderness by
5 means other than a federally reserved water right.

6 (3) STATUTORY CONSTRUCTION.—Nothing in
7 this part—

8 (A) constitutes an express or implied res-
9 ervation by the United States of any water or
10 water rights with respect to the Wilderness;

11 (B) affects any water rights in the State
12 (including any water rights held by the United
13 States) in existence on the date of enactment of
14 this Act;

15 (C) establishes a precedent with regard to
16 any future wilderness designations;

17 (D) affects the interpretation of, or any
18 designation made under, any other Act; or

19 (E) limits, alters, modifies, or amends any
20 interstate compact or equitable apportionment
21 decree that apportions water among and be-
22 tween the State and other States.

23 (4) NEVADA WATER LAW.—The Secretary con-
24 cerned shall follow the procedural and substantive
25 requirements of State law in order to obtain and

1 hold any water rights not in existence on the date
2 of enactment of this Act with respect to the Wilder-
3 ness.

4 (5) NEW PROJECTS.—

5 (A) DEFINITION OF WATER RESOURCE FA-
6 CILITY.—

7 (i) IN GENERAL.—In this paragraph,
8 the term “water resource facility” means
9 irrigation and pumping facilities, res-
10ervoirs, water conservation works, aque-
11ducts, canals, ditches, pipelines, wells, hy-
12dropower projects, transmission and other
13ancillary facilities, and other water diver-
14sion, storage, and carriage structures.

15 (ii) EXCLUSION.—In this paragraph,
16 the term “water resource facility” does not
17 include wildlife guzzlers.

18 (B) RESTRICTION ON NEW WATER RE-
19SOURCE FACILITIES.—Except as otherwise pro-
20vided in this part, on or after the date of enact-
21ment of this Act, neither the President nor any
22other officer, employee, or agent of the United
23States shall fund, assist, authorize, or issue a
24license or permit for the development of any
25new water resource facility within any wilder-

1 ness area, including a portion of a wilderness
2 area, that is located in the County.

3 **SEC. 5973. FISH AND WILDLIFE MANAGEMENT.**

4 (a) IN GENERAL.—In accordance with section
5 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
6 nothing in this part affects or diminishes the jurisdiction
7 of the State with respect to fish and wildlife management,
8 including the regulation of hunting, fishing, and trapping,
9 in the Wilderness.

10 (b) MANAGEMENT ACTIVITIES.—In furtherance of
11 the purposes and principles of the Wilderness Act (16
12 U.S.C. 1131 et seq.), the Secretary concerned may con-
13 duct any management activities in the Wilderness that are
14 necessary to maintain or restore fish and wildlife popu-
15 lations and the habitats to support the populations, if the
16 activities are carried out—

17 (1) in a manner that is consistent with relevant
18 wilderness management plans; and

19 (2) in accordance with—

20 (A) the Wilderness Act (16 U.S.C. 1131 et
21 seq.); and

22 (B) appropriate policies, such as those set
23 forth in Appendix B of the report of the Com-
24 mittee on Interior and Insular Affairs of the
25 House of Representatives accompanying H.R.

1 2570 of the 101st Congress (House Report
2 101–405), including the occasional and tem-
3 porary use of motorized vehicles and aircraft if
4 the use, as determined by the Secretary con-
5 cerned, would promote healthy, viable, and
6 more naturally distributed wildlife populations
7 that would enhance wilderness values with the
8 minimal impact necessary to reasonably accom-
9 plish those tasks.

10 (c) EXISTING ACTIVITIES.—Consistent with section
11 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and
12 in accordance with appropriate policies such as those set
13 forth in Appendix B of the report of the Committee on
14 Interior and Insular Affairs of the House of Representa-
15 tives accompanying H.R. 2570 of the 101st Congress
16 (House Report 101–405), the State may continue to use
17 aircraft, including helicopters, to survey, capture, trans-
18 plant, monitor, and provide water for wildlife populations
19 in the Wilderness.

20 (d) HUNTING, FISHING, AND TRAPPING.—

21 (1) IN GENERAL.—The Secretary concerned
22 may designate areas in which, and establish periods
23 during which, for reasons of public safety, adminis-
24 tration, or compliance with applicable laws, no hunt-

1 ing, fishing, or trapping will be permitted in the Wil-
2 derness.

3 (2) CONSULTATION.—Except in emergencies,
4 the Secretary concerned shall consult with the ap-
5 propriate State agency and notify the public before
6 making any designation under paragraph (1).

7 (e) COOPERATIVE AGREEMENT.—

8 (1) IN GENERAL.—The State (including a des-
9 ignee of the State) may conduct wildlife manage-
10 ment activities in the Wilderness—

11 (A) in accordance with the terms and con-
12 ditions specified in the cooperative agreement
13 between the Secretary of the Interior and the
14 State entitled “Memorandum of Understanding
15 between the Bureau of Land Management and
16 the Nevada Department of Wildlife Supplement
17 No. 9” and signed November and December
18 2003, including any amendments to the cooper-
19 ative agreement agreed to by the Secretary of
20 the Interior and the State; and

21 (B) subject to all applicable laws (including
22 regulations).

23 (2) REFERENCES; CLARK COUNTY.—For the
24 purposes of this subsection, any reference to Clark
25 County in the cooperative agreement described in

1 paragraph (1)(A) shall be considered to be a ref-
2 erence to the Wilderness.

3 **SEC. 5974. RELEASE OF WILDERNESS STUDY AREA.**

4 (a) FINDING.—Congress finds that, for the purposes
5 of section 603(c) of the Federal Land Policy and Manage-
6 ment Act of 1976 (43 U.S.C. 1782(c)), the approximately
7 1,065 acres of public land in the Burbank Canyons Wil-
8 derness study area not designated as wilderness by this
9 part has been adequately studied for wilderness designa-
10 tion.

11 (b) RELEASE.—Any public land described in sub-
12 section (a) that is not designated as wilderness by this
13 part—

14 (1) is no longer subject to section 603(c) of the
15 Federal Land Policy and Management Act of 1976
16 (43 U.S.C. 1782(c)); or

17 (2) shall be managed in accordance with—

18 (A) land management plans adopted under
19 section 202 of the Federal Land Policy and
20 Management Act of 1976 (43 U.S.C. 1712);
21 and

22 (B) cooperative conservation agreements in
23 existence on the date of enactment of this Act.

1 **SEC. 5975. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
2 **USES.**

3 Nothing in this part alters or diminishes the treaty
4 rights of any Indian Tribe.

5 **Subpart D—Transfer of Administrative Jurisdiction**
6 **Over Forest Service Land**

7 **SEC. 5976. AUTHORITY OF FOREST SERVICE TO TRANSFER**
8 **ADMINISTRATIVE JURISDICTION TO STATE**
9 **OR COUNTY FOR PUBLIC PURPOSES.**

10 (a) IN GENERAL.—Consistent with section 3(b) of
11 Public Law 96–586 (commonly known as the “Santini-
12 Burton Act”; 94 Stat. 3384), and subject to valid existing
13 rights, on receipt of a request by the State or County and
14 subject to such terms and conditions as are satisfactory
15 to the Secretary of Agriculture, the Secretary may trans-
16 fer the Forest Service land or interests in Forest Service
17 land described in subsection (b) to the State or County,
18 without consideration, to protect the environmental quality
19 and public recreational use of the transferred Forest Serv-
20 ice land.

21 (b) DESCRIPTION OF LAND.—The land referred to in
22 subsection (a) is any Forest Service land that is located
23 within the boundaries of the area acquired under Public
24 Law 96–586 (commonly known as the “Santini-Burton
25 Act”; 94 Stat. 3381) that is—

1 (1) unsuitable for Forest Service Administra-
2 tion; or

3 (2) necessary for a public purpose.

4 (c) USE OF LAND.—A parcel of land conveyed pursu-
5 ant to subsection (a) shall—

6 (1) be managed by the State or County, as ap-
7 plicable—

8 (A) to maintain undeveloped open space
9 and to preserve the natural characteristics of
10 the transferred land in perpetuity; and

11 (B) to protect and enhance water quality,
12 stream environment zones, and important wild-
13 life habitat; and

14 (2) be used by the State or County, as applica-
15 ble, for recreation or other public purposes including
16 trails, trailheads, fuel reduction, flood control, and
17 other infrastructure consistent with the Act of June
18 14, 1926 (43 U.S.C. 869 et seq.).

19 (d) REVERSION.—If a parcel of land transferred
20 under subsection (a) is used in a manner that is incon-
21 sistent with subsection (c), the parcel of land shall, at the
22 discretion of the Secretary of Agriculture, revert to the
23 United States.

1 **SEC. 5977. SPECIAL USE PERMITS FOR RECREATION AND**
2 **PUBLIC PURPOSES.**

3 (a) ISSUANCE OF SPECIAL USE PERMITS.—Not later
4 than one year after the date on which the Secretary of
5 Agriculture receives an application from the County or
6 unit of local government for the use of the Federal land
7 outlined in subsection (b), the Secretary, in accordance
8 with all applicable laws shall—

9 (1) issue to the County a special use permit for
10 recreation and public purposes; and

11 (2) authorize a permit length up to 30 years or
12 longer for the use of the land.

13 (b) DESCRIPTION OF LAND.—The land referenced in
14 subsection (a) applies to approximately 188 acres of Fed-
15 eral land located in the County that is identified as “Di-
16 rected Special Use Permit” on the Map.

17 **PART 3—LANDER COUNTY**

18 **SEC. 5980. DEFINITIONS.**

19 In this part:

20 (1) COUNTY.—The term “County” means
21 Lander County, Nevada.

22 (2) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

24 (3) STATE.—The term “State” means the State
25 of Nevada.

1 **Subpart A—Lander County Land Conveyances**

2 **SEC. 5981. DEFINITIONS.**

3 In this subpart:

4 (1) **MAP.**—The term “Map” means the map en-
5 titled “Lander County Selected Lands” and dated
6 August 4, 2020.

7 (2) **SECRETARY CONCERNED.**—The term “Sec-
8 retary concerned” means—

9 (A) the Secretary, with respect to land
10 under the jurisdiction of the Secretary; and

11 (B) the Secretary of Agriculture, acting
12 through the Chief of the Forest Service, with
13 respect to National Forest System land.

14 **SEC. 5982. CONVEYANCES TO LANDER COUNTY, NEVADA.**

15 (a) **CONVEYANCE FOR WATERSHED PROTECTION,**
16 **RECREATION, AND PARKS.**—Notwithstanding the land use
17 planning requirements of sections 202 and 203 of the Fed-
18 eral Land Policy and Management Act of 1976 (43 U.S.C.
19 1712, 1713), not later than 60 days after the date on
20 which the County identifies the parcels of Federal land
21 selected by the County for conveyance to the County from
22 among the parcels identified on the Map as “Lander
23 County Parcels BLM and USFS”, the Secretary con-
24 cerned shall convey to the County, subject to valid existing
25 rights and for no consideration, all right, title, and interest
26 of the United States in and to the identified parcels of

1 Federal land (including mineral rights) for use by the
2 County for watershed protection, recreation, and parks.

3 (b) CONVEYANCE FOR AIRPORT FACILITY.—

4 (1) IN GENERAL.—Notwithstanding the land
5 use planning requirements of sections 202 and 203
6 of the Federal Land Policy and Management Act of
7 1976 (43 U.S.C. 1712, 1713), the Secretary shall
8 convey to the County, subject to valid existing
9 rights, including mineral rights, all right, title, and
10 interest of the United States in and to the parcels
11 of Federal land identified on the Map as “Kingston
12 Airport” for the purpose of improving the relevant
13 airport facility and related infrastructure.

14 (2) COSTS.—The only costs for the conveyance
15 to be paid by the County under paragraph (1) shall
16 be the survey costs relating to the conveyance.

17 (c) SURVEY.—The exact acreage and legal descrip-
18 tion of any parcel of Federal land to be conveyed under
19 subsection (a) or (b) shall be determined by a survey satis-
20 factory to the Secretary concerned and the County.

21 (d) REVERSIONARY CLAUSE REQUIRED.—A convey-
22 ance of Federal land under subsection (a) or (b) shall in-
23 clude a reversionary clause to ensure that management of
24 the Federal land conveyed under the applicable subsection
25 shall revert to the Secretary concerned if the Federal land

1 is no longer being managed in accordance with the appli-
2 cable subsection.

3 (e) MAP, ACREAGE ESTIMATES, AND LEGAL DE-
4 SCRIPTIONS.—

5 (1) MINOR ERRORS.—The Secretary concerned
6 and the County may, by mutual agreement—

7 (A) make minor boundary adjustments to
8 the parcels of Federal land to be conveyed
9 under subsection (a) or (b); and

10 (B) correct any minor errors in—

11 (i) the Map; or

12 (ii) an acreage estimate or legal de-
13 scription of any parcel of Federal land con-
14 veyed under subsection (a) or (b).

15 (2) CONFLICT.—If there is a conflict between
16 the Map, an acreage estimate, or a legal description
17 of Federal land conveyed under subsection (a) or
18 (b), the Map shall control unless the Secretary con-
19 cerned and the County mutually agree otherwise.

20 (3) AVAILABILITY.—The Secretary shall make
21 the Map available for public inspection in—

22 (A) the Office of the Nevada State Direc-
23 tor of the Bureau of Land Management; and

24 (B) the Bureau of Land Management Bat-
25 tle Mountain Field Office.

1 **Subpart B—Lander County Wilderness Areas**

2 **SEC. 5985. DEFINITIONS.**

3 In this subpart:

4 (1) MAP.—The term “Map” means the map en-
5 titled “Lander County Wilderness Areas Proposal”
6 and dated April 19, 2021.

7 (2) WILDERNESS AREA.—The term “wilderness
8 area” means a wilderness area designated by section
9 5986(a).

10 **SEC. 5986. DESIGNATION OF WILDERNESS AREAS.**

11 (a) IN GENERAL.—In accordance with the Wilderness
12 Act (16 U.S.C. 1131 et seq.), the following land in the
13 State is designated as wilderness and as components of
14 the National Wilderness Preservation System:

15 (1) CAIN MOUNTAIN WILDERNESS.—Certain
16 Federal land managed by the Director of the Bureau
17 of Land Management, comprising approximately
18 6,386 acres, as generally depicted as “Cain Moun-
19 tain Wilderness” on the Map, which shall be known
20 as the “Cain Mountain Wilderness”.

21 (2) DESATOYA MOUNTAINS WILDERNESS.—Cer-
22 tain Federal land managed by the Director of the
23 Bureau of Land Management, comprising approxi-
24 mately 7,766 acres, as generally depicted as
25 “Desatoya Mountains Wilderness” on the Map,

1 which shall be known as the “Desatoya Mountains
2 Wilderness”.

3 (b) BOUNDARY.—The boundary of any portion of a
4 wilderness area that is bordered by a road shall be 100
5 feet from the centerline of the road.

6 (c) MAP AND LEGAL DESCRIPTION.—

7 (1) IN GENERAL.—As soon as practicable after
8 the date of enactment of this Act, the Secretary
9 shall file with, and make available for inspection in,
10 the appropriate offices of the Bureau of Land Man-
11 agement, a map and legal description of each wilder-
12 ness area.

13 (2) EFFECT.—Each map and legal description
14 prepared under paragraph (1) shall have the same
15 force and effect as if included in this subpart, except
16 that the Secretary may correct clerical and typo-
17 graphical errors in the map or legal description.

18 (d) WITHDRAWAL.—Subject to valid existing rights,
19 the wilderness areas are withdrawn from—

20 (1) all forms of entry, appropriation, and dis-
21 posal under the public land laws;

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

24 (3) disposition under all laws relating to min-
25 eral and geothermal leasing or mineral materials.

1 **SEC. 5987. ADMINISTRATION.**

2 (a) **MANAGEMENT.**—Subject to valid existing rights,
3 the wilderness areas shall be administered by the Sec-
4 retary in accordance with the Wilderness Act (16 U.S.C.
5 1131 et seq.), except that with respect to the wilderness
6 areas—

7 (1) any reference in that Act to the effective
8 date shall be considered to be a reference to the date
9 of enactment of this Act; and

10 (2) any reference in that Act to the Secretary
11 of Agriculture shall be considered to be a reference
12 to the Secretary.

13 (b) **LIVESTOCK.**—The grazing of livestock in the wil-
14 derness areas, if established before the date of enactment
15 of this Act, shall be allowed to continue, subject to such
16 reasonable regulations, policies, and practices as the Sec-
17 retary considers to be necessary in accordance with—

18 (1) section 4(d)(4) of the Wilderness Act (16
19 U.S.C. 1133(d)(4)); and

20 (2) the guidelines set forth in Appendix A of
21 the report of the Committee on Interior and Insular
22 Affairs of the House of Representatives accom-
23 panying H.R. 2570 of the 101st Congress (House
24 Report 101–405).

25 (c) **INCORPORATION OF ACQUIRED LAND AND INTER-**
26 **ESTS.**—Any land or interest in land within the boundary

1 of a wilderness area that is acquired by the United States
2 after the date of enactment of this Act shall be added to,
3 and administered as part of, the wilderness area.

4 (d) ADJACENT MANAGEMENT.—

5 (1) IN GENERAL.—Congress does not intend for
6 the designation of the wilderness areas to create pro-
7 tective perimeters or buffer zones around the wilder-
8 ness areas.

9 (2) NONWILDERNESS ACTIVITIES.—The fact
10 that nonwilderness activities or uses can be seen or
11 heard from within a wilderness area shall not pre-
12 clude the conduct of those activities or uses outside
13 the boundary of the wilderness area.

14 (e) MILITARY OVERFLIGHTS.—Nothing in this sub-
15 part restricts or precludes—

16 (1) low-level overflights of military aircraft over
17 the wilderness areas, including military overflights
18 that can be seen or heard within the wilderness
19 areas;

20 (2) flight testing or evaluation; or

21 (3) the designation or creation of new units of
22 special use airspace, or the establishment of military
23 flight training routes, over the wilderness areas.

24 (f) WILDFIRE, INSECT, AND DISEASE MANAGE-
25 MENT.—In accordance with section 4(d)(1) of the Wilder-

1 ness Act (16 U.S.C. 1133(d)(1)), the Secretary may take
2 such measures in the wilderness areas as are necessary
3 for the control of fire, insects, and diseases (including, as
4 the Secretary determines to be appropriate, the coordina-
5 tion of the activities with a State or local agency).

6 (g) CLIMATOLOGICAL DATA COLLECTION.—In ac-
7 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.)
8 and subject to such terms and conditions as the Secretary
9 may prescribe, the Secretary may authorize the installa-
10 tion and maintenance of hydrologic, meteorologic, or cli-
11 matological data collection devices in the wilderness areas
12 if the Secretary determines that the facilities and access
13 to the facilities are essential to flood warning, flood con-
14 trol, or water reservoir operation activities.

15 (h) WATER RIGHTS.—

16 (1) FINDINGS.—Congress finds that—

17 (A) the wilderness areas are located—

18 (i) in the semiarid region of the Great

19 Basin; and

20 (ii) at the headwaters of the streams

21 and rivers on land with respect to which

22 there are few, if any—

23 (I) actual or proposed water re-

24 source facilities located upstream; and

1 (II) opportunities for diversion,
2 storage, or other uses of water occur-
3 ring outside the land that would ad-
4 versely affect the wilderness values of
5 the land;

6 (B) the wilderness areas are generally not
7 suitable for use or development of new water re-
8 source facilities; and

9 (C) because of the unique nature of the
10 wilderness areas, it is possible to provide for
11 proper management and protection of the wil-
12 derness and other values of the land in ways
13 different from the methods used in other laws.

14 (2) PURPOSE.—The purpose of this subsection
15 is to protect the wilderness values of the wilderness
16 areas by means other than a federally reserved water
17 right.

18 (3) STATUTORY CONSTRUCTION.—

19 (A) NO RESERVATION.—Nothing in this
20 subpart constitutes an express or implied res-
21 ervation by the United States of any water or
22 water rights with respect to the wilderness
23 areas.

24 (B) STATE RIGHTS.—Nothing in this sub-
25 part affects any water rights in the State (in-

1 including any water rights held by the United
2 States) in existence on the date of enactment of
3 this Act.

4 (C) NO PRECEDENT.—Nothing in this sub-
5 part establishes a precedent with regard to any
6 future wilderness designations.

7 (D) NO EFFECT ON OTHER DESIGNA-
8 TIONS.—Nothing in this subpart affects the in-
9 terpretation of, or any designation made under,
10 any other Act.

11 (E) NO EFFECT ON COMPACTS.—Nothing
12 in this subpart limits, alters, modifies, or
13 amends any interstate compact or equitable ap-
14 portionment decree that apportions water
15 among and between the State and other States.

16 (4) NEVADA WATER LAW.—The Secretary shall
17 follow the procedural and substantive requirements
18 of State law in order to obtain and hold any water
19 rights not in existence on the date of enactment of
20 this Act with respect to the wilderness areas.

21 (5) NEW PROJECTS.—

22 (A) DEFINITION OF WATER RESOURCE FA-
23 CILITY.—

24 (i) IN GENERAL.—In this paragraph,
25 the term “water resource facility” means—

- 1 (I) an irrigation or pumping fa-
2 cility;
3 (II) a reservoir;
4 (III) a water conservation works;
5 (IV) an aqueduct, canal, ditch,
6 pipeline, well, hydropower project, or
7 transmission or other ancillary facil-
8 ity; and
9 (V) any other water diversion,
10 conservation, storage, or carriage
11 structure.

12 (ii) EXCLUSION.—In this paragraph,
13 the term “water resource facility” does not
14 include wildlife guzzlers.

15 (B) NO LICENSES OR PERMITS.—Except
16 as otherwise provided in this subpart, on and
17 after the date of enactment of this Act, neither
18 the President nor any other officer, employee,
19 or agent of the United States shall fund, assist,
20 authorize, or issue a license or permit for the
21 development of any new water resource facility
22 within the wilderness areas.

23 **SEC. 5988. WILDLIFE MANAGEMENT.**

24 (a) IN GENERAL.—In accordance with section
25 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),

1 nothing in this subpart affects or diminishes the jurisdic-
2 tion of the State with respect to fish and wildlife manage-
3 ment, including the regulation of hunting, fishing, and
4 trapping in the wilderness areas.

5 (b) MANAGEMENT ACTIVITIES.—In furtherance of
6 the purposes and principles of the Wilderness Act (16
7 U.S.C. 1131 et seq.), the Secretary may conduct any man-
8 agement activities in the wilderness areas that are nec-
9 essary to maintain or restore fish and wildlife populations
10 and the habitats to support the populations, if the activi-
11 ties are carried out—

12 (1) consistent with relevant wilderness manage-
13 ment plans; and

14 (2) in accordance with—

15 (A) the Wilderness Act (16 U.S.C. 1131 et
16 seq.); and

17 (B) appropriate policies, such as those set
18 forth in Appendix B of the report of the Com-
19 mittee on Interior and Insular Affairs of the
20 House of Representatives accompanying H.R.
21 2570 of the 101st Congress (House Report
22 101–405), including noxious weed treatment
23 and the occasional and temporary use of motor-
24 ized vehicles if the use, as determined by the
25 Secretary, would promote healthy, viable, and

1 more naturally distributed wildlife populations
2 that would enhance wilderness values with the
3 minimal impact necessary to reasonably accom-
4 plish those tasks.

5 (c) EXISTING ACTIVITIES.—In accordance with sec-
6 tion 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1))
7 and in accordance with appropriate policies such as those
8 set forth in Appendix B of the Committee on Interior and
9 Insular Affairs of the House of Representatives accom-
10 panying H.R. 2570 of the 101st Congress (House Report
11 101–405), the State may continue to use aircraft (includ-
12 ing helicopters) to survey, capture, transplant, monitor,
13 and provide water for wildlife populations.

14 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—
15 Subject to subsection (f), the Secretary shall authorize
16 structures and facilities, including existing structures and
17 facilities, for wildlife water development projects, including
18 guzzlers, in the wilderness areas if—

19 (1) the structures and facilities would, as deter-
20 mined by the Secretary, enhance wilderness values
21 by promoting healthy, viable, and more naturally
22 distributed wildlife populations; and

23 (2) the visual impacts of the structures and fa-
24 cilities on the wilderness areas can reasonably be
25 minimized.

1 (e) HUNTING, FISHING, AND TRAPPING.—

2 (1) IN GENERAL.—The Secretary may des-
3 ignate areas in which, and establish periods during
4 which, for reasons of public safety, administration,
5 or compliance with applicable laws, no hunting, fish-
6 ing, or trapping will be permitted in the wilderness
7 areas.

8 (2) CONSULTATION.—Except in emergencies,
9 the Secretary shall consult with the appropriate
10 State agency and notify the public before taking any
11 action under paragraph (1).

12 (f) COOPERATIVE AGREEMENT.—

13 (1) IN GENERAL.—The State, including a des-
14 ignee of the State, may conduct wildlife management
15 activities in the wilderness areas—

16 (A) in accordance with the terms and con-
17 ditions specified in the cooperative agreement
18 between the Secretary and the State entitled
19 “Memorandum of Understanding between the
20 Bureau of Land Management and the Nevada
21 Department of Wildlife Supplement No. 9” and
22 signed November and December 2003, includ-
23 ing any amendments to the cooperative agree-
24 ment agreed to by the Secretary and the State;
25 and

1 (B) subject to all applicable laws (including
2 regulations).

3 (2) REFERENCES; CLARK COUNTY.—For the
4 purposes of this subsection, any references to Clark
5 County in the cooperative agreement described in
6 paragraph (1)(A) shall be considered to be a ref-
7 erence to the County.

8 **SEC. 5989. RELEASE OF WILDERNESS STUDY AREAS.**

9 (a) FINDING.—Congress finds that, for the purposes
10 of section 603(e) of the Federal Land Policy and Manage-
11 ment Act of 1976 (43 U.S.C. 1782(c)), the following pub-
12 lic land has been adequately studied for wilderness des-
13 ignation:

14 (1) The approximately 10,777 acres of the Au-
15 gusta Mountain Wilderness Study Area within the
16 County that has not been designated as wilderness
17 by section 5986(a).

18 (2) The approximately 1,088 acres of the
19 Desatoya Wilderness Study Area within the County
20 that has not been designated as wilderness by sec-
21 tion 5986(a).

22 (b) RELEASE.—The public land described in sub-
23 section (a)—

1 (1) is no longer subject to section 603(c) of the
2 Federal Land Policy and Management Act of 1976
3 (43 U.S.C. 1782(c)); and

4 (2) shall be managed in accordance with the ap-
5 plicable land use plans adopted under section 202 of
6 the Federal Land Policy and Management Act of
7 1976 (43 U.S.C. 1712).

8 **SEC. 5990. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
9 **USES.**

10 (a) IN GENERAL.—Nothing in this subpart alters or
11 diminishes the treaty rights of any Indian Tribe (as de-
12 fined in section 4 of the Indian Self-Determination and
13 Education Assistance Act (25 U.S.C. 5304)).

14 (b) CULTURAL USES.—Nothing in this subpart pre-
15 cludes the traditional collection of pine nuts in a wilder-
16 ness area for personal, noncommercial use consistent with
17 the Wilderness Act (16 U.S.C. 1131 et seq.).

18 **PART 4—CARSON CITY PUBLIC LANDS**

19 **CORRECTION**

20 **SEC. 5995. DEFINITIONS.**

21 In this part:

22 (1) CARSON CITY FEDERAL LAND COLLABORA-
23 TION COMMITTEE.—The term “Carson City Federal
24 Land Collaboration Committee” means a committee
25 comprised of—

- 1 (A) the City Manager;
- 2 (B) a designee of the City Manager; and
- 3 (C) not more than 3 members appointed
- 4 by the Carson City Board of Supervisors to rep-
- 5 resent areas of Carson City's government, in-
- 6 cluding the Parks, Recreation, and Open Space
- 7 Department, the Community Development De-
- 8 partment, Property Management.

9 (2) CITY.—The term “City” means Carson

10 City, Nevada.

11 (3) SECRETARY.—The term “Secretary”

12 means—

13 (A) the Secretary of Agriculture with re-

14 spect to land in the National Forest System;

15 and

16 (B) the Secretary of the Interior with re-

17 spect to other Federal land.

18 **SEC. 5996. LAND CONVEYANCES.**

19 (a) CONVEYANCE.—Subject to valid existing rights

20 and notwithstanding the land use planning requirements

21 of section 202 of the Federal Land Policy and Manage-

22 ment Act of 1976 (43 U.S.C. 1712), the Secretary shall

23 convey to the City, without consideration, all right, title,

24 and interest of the United States in and to the land de-

25 scribed in subsection (b).

1 (b) DESCRIPTION OF LAND.—The land referred to in
2 subsection (a) is the approximately 258 acres depicted as
3 “Lands to Acquire” on the map entitled “Carson City
4 OPLMA Lands” and dated 2018.

5 (c) COSTS.—Any costs relating to the conveyance
6 under subsection (a), including costs of surveys and ad-
7 ministrative costs, shall be paid by the City and are eligi-
8 ble for reimbursement under the account as described in
9 section 5999B(a).

10 (d) SALE OR LEASE OF LAND TO THIRD PARTIES.—
11 The City may enter into an agreement to sell, lease, or
12 otherwise convey all or part of the land described in sub-
13 section (b).

14 (e) CONDITIONS.—The City shall sell the land at fair
15 market value, and proceeds will be deposited in the ac-
16 count as described in section 5999B(a).

17 **SEC. 5997. CARSON CITY STREET CONNECTOR CONVEY-**
18 **ANCE.**

19 (a) AUTHORIZATION OF CONVEYANCE.—The Sec-
20 retary shall convey to Carson City without consideration
21 all right, title, and interest of the United States in and
22 to the parcels of Federal land described in subsection (b)
23 for expansion of roadway.

24 (b) DESCRIPTION OF FEDERAL LAND.—The Federal
25 land referred to in subsection (a) is depicted as “Proposed

1 Land Transfer” on the map entitled “Carson City
2 OPLMA Lands” and dated February 28, 2019.

3 (c) COSTS.—Any costs relating to the conveyance au-
4 thorized under subsection (a), including any costs for sur-
5 veys and other administrative costs, shall be paid by the
6 city.

7 (d) REVERSION.—If the land conveyed under sub-
8 section (a) is used in a manner inconsistent with sub-
9 section (a), the Federal land shall, at the discretion of the
10 Secretary, revert to the United States.

11 **SEC. 5998. AMENDMENT TO REVERSIONARY INTERESTS.**

12 (a) SALE OR LEASE OF LAND TO THIRD PARTIES.—
13 Section 2601(b)(4) of Public Law 111–11 (123 Stat.
14 1111) is amended by inserting after subparagraph (D) the
15 following:

16 “(E) SALE OR LEASE OF LAND TO THIRD
17 PARTIES.—The City may enter into an agree-
18 ment to sell, lease, or otherwise convey all or
19 part of the land described in subparagraph (D)
20 to third parties for public purposes.”.

21 (b) CONDITIONS.—The sale of any land under the
22 amendment made by subsection (a) shall be for not less
23 than fair market value.

1 **SEC. 5999. DISPOSAL OF FEDERAL LAND.**

2 (a) DISPOSAL.—Subject to valid existing rights and
3 notwithstanding the land use planning requirements of
4 section 202 of the Federal Land Policy and Management
5 Act of 1976 (43 U.S.C. 1712), the Secretary shall dispose
6 of the land described in subsection (b).

7 (b) DESCRIPTION OF LAND.—The land referred to in
8 subsection (a) is the approximately 28 acres depicted as
9 “Lands for BLM Disposal” on the map entitled “Carson
10 City OPLMA Lands” and dated 2018.

11 (c) COSTS.—Any costs relating to the disposal under
12 subsection (a), including costs of surveys and administra-
13 tive costs, shall be paid by the party entering into the dis-
14 posal agreement with the Bureau of Land Management
15 for the land described in subsection (b).

16 (d) CONDITIONS.—Upon disposal, the City shall re-
17 tain—

18 (1) a public utility easement concurrent with
19 Koontz Lane and Conti Drive, which provides
20 waterlines and access to the water tank immediately
21 east of the subject parcels; and

22 (2) an existing drainage easement for a future
23 detention basin located on APN 010–152–06 de-
24 picted as “Lands for BLM Disposal” on the map
25 entitled “Carson City OPLMA Lands” and dated
26 2018.

1 **SEC. 5999A. TRANSFER OF LAND TO THE UNITED STATES.**

2 (a) CONVEYANCE.—Not later than 180 days after the
3 date of enactment of this Act, the City shall convey all
4 right and title of the land described in subsection (b) to
5 the Secretary of the Interior.

6 (b) DESCRIPTION OF LAND.—The land referred to in
7 subsection (a) is the approximately 17 acres depicted as
8 “Lands for Disposal” on the map entitled “Carson City
9 OPLMA Lands” and dated 2018.

10 (c) DISPOSAL.—Subject to valid existing rights and
11 notwithstanding the land use planning requirements of
12 section 202 of the Federal Land Policy and Management
13 Act of 1976 (43 U.S.C. 1712), the Secretary of the Inte-
14 rior shall dispose of the land described in subsection (b).

15 (d) COSTS.—

16 (1) COSTS RELATED TO DISPOSAL.—Any costs
17 relating to the disposal under subsection (c), includ-
18 ing costs of surveys and administrative costs, shall
19 be paid by the party entering into the disposal
20 agreement with the Bureau of Land Management
21 for the land described in subsection (b).

22 (2) COSTS RELATED TO CONVEYANCE.—Any
23 costs relating to the conveyance under subsection
24 (a), including costs of surveys and administrative
25 costs, shall be paid by the City and is eligible for re-

1 imbursement through the account as described in
2 section 5999B(a).

3 (e) CONDITIONS.—Upon disposal, the City shall re-
4 tain—

5 (1) access and a public utility easement on
6 APN 010–252–02 for operation and maintenance of
7 a municipal well; and

8 (2) a public right-of-way for Bennet Avenue.

9 **SEC. 5999B. DISPOSITION OF PROCEEDS.**

10 (a) DISPOSITION OF PROCEEDS.—The proceeds from
11 the sale of land under sections 5996, 5997, 5998, and
12 5999 and section 2601(e)(1)(B) of Public Law 111–11
13 (123 Stat. 1111) shall be deposited in a special account
14 in the Treasury of the United States, to be known as the
15 “Carson City Special Account”, which shall be available
16 to the Secretary in collaboration with and if approved in
17 writing by the Carson City Federal Land Collaboration
18 Committee, for—

19 (1) the reimbursement of costs incurred by the
20 Secretary in preparing for the sale of the land de-
21 scribed in sections 5996, 5998, and 5999 and sec-
22 tion 2601(e)(1)(B) of Public Law 111–11 (123 Stat.
23 1111), including—

24 (A) the costs of surveys and appraisals;

25 and

1 (B) the costs of compliance with the Na-
2 tional Environmental Policy Act of 1969 (42
3 U.S.C. 4321 et seq.) and sections 202 and 203
4 of the Federal Land Policy and Management
5 Act of 1976 (43 U.S.C. 1712, 1713);

6 (2) the reimbursement of costs incurred as de-
7 scribed in paragraphs (3) through (8) by the City
8 for lands under sections 5996, 5997, 5998, and
9 5999 and section 2601(d) of Public Law 111-11
10 (123 Stat. 1111);

11 (3) the conduct of wildlife habitat conservation
12 and restoration projects, including projects that ben-
13 efit the greater sage-grouse in the City;

14 (4) the development and implementation of
15 comprehensive, cost-effective, multijurisdictional haz-
16 ardous fuels reduction and wildfire prevention and
17 restoration projects in the City;

18 (5) the acquisition of environmentally sensitive
19 land or interest in environmentally sensitive land in
20 Carson City, Nevada;

21 (6) wilderness protection and processing wilder-
22 ness designation, including the costs of appropriate
23 fencing, signage, public education, and enforcement
24 for the wilderness areas designated through this
25 part;

1 (7) capital improvements administered by the
2 Bureau of Land Management and the Forest Service
3 in the City; and

4 (8) educational purposes specific to the City.

5 (b) INVESTMENT OF SPECIAL ACCOUNT.—Amounts
6 deposited into the Carson City Special Account—

7 (1) shall earn interest in an amount determined
8 by the Secretary of the Treasury, based on the cur-
9 rent average market yield on outstanding marketable
10 obligations of the United States of comparable ma-
11 turities; and

12 (2) may be expended by the Secretary in ac-
13 cordance with this section.

14 (c) MANAGEMENT OF SPECIAL ACCOUNT.—The man-
15 agement and procedures thereof of the Carson City Spe-
16 cial Account shall be determined by an intergovernmental
17 agreement between the City and the Department of the
18 Interior’s Bureau of Land Management, Carson City of-
19 fice.

20 **SEC. 5999C. POSTPONEMENT; EXCLUSION FROM SALE.**

21 Section 2601(d)(6) of Public Law 111–11 (123 Stat.
22 1113) is amended to read as follows:

23 “(6) DEADLINE FOR SALE.—Not later than 1
24 year after the date of enactment of the this para-
25 graph, if there is a qualified bidder for the land de-

1 scribed in subparagraphs (A) and (B) of paragraph
2 (2), the Secretary of the Interior shall offer the land
3 for sale to the qualified bidder.”.

4 **PART 5—PERSHING COUNTY ECONOMIC**
5 **DEVELOPMENT AND CONSERVATION**

6 **SEC. 5999D. DEFINITIONS.**

7 In this part:

8 (1) COUNTY.—The term “County” means Per-
9 shing County, Nevada.

10 (2) SECRETARY.—The term “Secretary” means
11 the Secretary of the Interior.

12 (3) STATE.—The term “State” means the State
13 of Nevada.

14 (4) WILDERNESS AREA.—The term “wilderness
15 area” means a wilderness area designated by section
16 5999I(a).

17 **Subpart A—Checkerboard Land Resolution**

18 **SEC. 5999E. DEFINITIONS.**

19 In this subpart:

20 (1) ELIGIBLE LAND.—The term “eligible land”
21 means any land administered by the Director of the
22 Bureau of Land Management—

23 (A) that is within the area identified on
24 the Map as “Checkerboard Lands Resolution

1 Area” that is designated for disposal by the
2 Secretary through—

3 (i) the Winnemucca Consolidated Re-
4 source Management Plan; or

5 (ii) any subsequent amendment or re-
6 vision to the management plan that is un-
7 dertaken with full public involvement; and

8 (B) that is not encumbered land.

9 (2) ENCUMBERED LAND.—The term “encum-
10 bered land” means any land administered by the Di-
11 rector of the Bureau of Land Management within
12 the area identified on the Map as “Checkerboard
13 Lands Resolution Area” that is encumbered by min-
14 ing claims, millsites, or tunnel sites.

15 (3) MAP.—The term “Map” means the map
16 prepared under section 5999F(b)(1).

17 (4) QUALIFIED ENTITY.—The term “qualified
18 entity” means, with respect to a portion of encum-
19 bered land—

20 (A) the owner of a mining claim, millsite,
21 or tunnel site located on a portion of the en-
22 cumbered land on the date of enactment of this
23 Act; and

24 (B) a successor in interest of an owner de-
25 scribed in subparagraph (A).

1 **SEC. 5999F. SALE OR EXCHANGE OF ELIGIBLE LAND.**

2 (a) AUTHORIZATION OF CONVEYANCE.—Notwith-
3 standing sections 202, 203, 206, and 209 of the Federal
4 Land Policy and Management Act of 1976 (43 U.S.C.
5 1712, 1713, 1716, 1719), as soon as practicable after the
6 date of enactment of this Act, the Secretary, in accordance
7 with this part and any other applicable law and subject
8 to valid existing rights, shall conduct sales or exchanges
9 of the eligible land.

10 (b) MAP.—

11 (1) IN GENERAL.—As soon as practicable after
12 the date of enactment of this Act, the Secretary
13 shall prepare a map that depicts the boundaries of
14 the land identified for disposal under this part, to be
15 identified as the “Checkerboard Lands Resolution
16 Area” on the Map.

17 (2) MINOR CORRECTIONS.—The Secretary, in
18 consultation with the County, may correct minor er-
19 rors in the Map.

20 (c) JOINT SELECTION REQUIRED.—After providing
21 public notice, the Secretary and the County shall jointly
22 select parcels of eligible land to be offered for sale or ex-
23 change under subsection (a).

24 (d) METHOD OF SALE.—A sale of eligible land under
25 subsection (a) shall be—

1 (1) consistent with subsections (d) and (f) of
2 section 203 of the Federal Land Policy and Manage-
3 ment Act of 1976 (43 U.S.C. 1713);

4 (2) conducted through a competitive bidding
5 process, under which adjoining landowners are of-
6 fered the first option, unless the Secretary deter-
7 mines there are suitable and qualified buyers that
8 are not adjoining landowners; and

9 (3) for not less than fair market value, based
10 on an appraisal in accordance with the Uniform
11 Standards of Professional Appraisal Practice and
12 this part.

13 (e) LAND EXCHANGES.—

14 (1) IN GENERAL.—Not later than 1 year after
15 the date of enactment of this Act and subject to the
16 joint selection requirements under subsection (c), the
17 Secretary shall offer to exchange all eligible land
18 under this section for private land.

19 (2) ADJACENT LAND.—To the extent prac-
20 ticable, the Secretary shall seek to enter into agree-
21 ments with one or more owners of private land adja-
22 cent to the eligible land for the exchange of the pri-
23 vate land for the eligible land, if the Secretary deter-
24 mines that the exchange would consolidate Federal

1 land ownership and facilitate improved Federal land
2 management.

3 (3) PRIORITY LAND EXCHANGES.—In acquiring
4 private land under this subsection, the Secretary
5 shall give priority to the acquisition of private land
6 in higher-value natural resource areas in the County.

7 (f) MASS APPRAISALS.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date of enactment of this Act, and every 5 years
10 thereafter, the Secretary shall—

11 (A) conduct a mass appraisal of eligible
12 land to be sold or exchanged under this section;

13 (B) prepare an evaluation analysis for each
14 land transaction under this section; and

15 (C) make available to the public the results
16 of the mass appraisals conducted under sub-
17 paragraph (A).

18 (2) USE.—The Secretary may use mass ap-
19 praisals and evaluation analyses conducted under
20 paragraph (1) to facilitate exchanges of eligible land
21 for private land.

22 (g) DEADLINE FOR SALE OR EXCHANGE; EXCLU-
23 SIONS.—

24 (1) DEADLINE.—Not later than 90 days after
25 the date on which the eligible land is jointly selected

1 under subsection (c), the Secretary shall offer for
2 sale or exchange the parcels of eligible land jointly
3 selected under that subsection.

4 (2) POSTPONEMENT OR EXCLUSION.—The Sec-
5 retary or the County may postpone, or exclude from,
6 a sale or exchange of all or a portion of the eligible
7 land jointly selected under subsection (c) for emer-
8 gency ecological or safety reasons.

9 (h) WITHDRAWAL.—

10 (1) IN GENERAL.—Subject to valid existing
11 rights and mining claims, millsites, and tunnel sites,
12 effective on the date on which a parcel of eligible
13 land is jointly selected under subsection (c) for sale
14 or exchange, that parcel is withdrawn from—

15 (A) all forms of entry and appropriation
16 under the public land laws, including the min-
17 ing laws;

18 (B) location, entry, and patent under the
19 mining laws; and

20 (C) operation of the mineral leasing and
21 geothermal leasing laws.

22 (2) TERMINATION.—The withdrawal of a parcel
23 of eligible land under paragraph (1) shall termi-
24 nate—

1 (A) on the date of sale or, in the case of
2 exchange, the conveyance of title of the parcel
3 of eligible land under this section; or

4 (B) with respect to any parcel of eligible
5 land selected for sale or exchange under sub-
6 section (c) that is not sold or exchanged, not
7 later than 2 years after the date on which the
8 parcel was offered for sale or exchange under
9 this section.

10 **SEC. 5999G. SALE OF ENCUMBERED LAND.**

11 (a) AUTHORIZATION OF CONVEYANCE.—Notwith-
12 standing sections 202, 203, 206, and 209 of the Federal
13 Land Policy and Management Act of 1976 (43 U.S.C.
14 1712, 1713, 1716, 1719), not later than 90 days after
15 the date of enactment of this Act and subject to valid ex-
16 isting rights held by third parties, the Secretary shall offer
17 to convey to qualified entities, for fair market value, the
18 remaining right, title, and interest of the United States,
19 in and to the encumbered land.

20 (b) COSTS OF SALES TO QUALIFIED ENTITIES.—As
21 a condition of each conveyance of encumbered land under
22 this section, the qualified entity shall pay all costs related
23 to the conveyance of the encumbered land, including the
24 costs of surveys and other administrative costs associated
25 with the conveyance.

1 (c) OFFER TO CONVEY.—

2 (1) IN GENERAL.—Not later than 180 days
3 after the date on which the Secretary receives a fair
4 market offer from a qualified entity for the convey-
5 ance of encumbered land, the Secretary shall accept
6 the fair market value offer.

7 (2) APPRAISAL.—Fair market value of the in-
8 terest of the United States in and to encumbered
9 land shall be determined by an appraisal conducted
10 in accordance with the Uniform Standards of Pro-
11 fessional Appraisal Practice.

12 (d) CONVEYANCE.—Not later than 180 days after the
13 date of acceptance by the Secretary of an offer from a
14 qualified entity under subsection (c)(1) and completion of
15 a sale for all or part of the applicable portion of encum-
16 bered land to the qualified entity, the Secretary, by deliv-
17 ery of an appropriate deed, patent, or other valid instru-
18 ment of conveyance, shall convey to the qualified entity
19 all remaining right, title, and interest of the United States
20 in and to the applicable portion of the encumbered land.

21 (e) MERGER.—Subject to valid existing rights held
22 by third parties, on delivery of the instrument of convey-
23 ance to the qualified entity under subsection (d), the prior
24 interests in the locatable minerals and the right to use
25 the surface for mineral purposes held by the qualified enti-

1 ty under a mining claim, millsite, tunnel site, or any other
2 Federal land use authorization applicable to the encum-
3 bered land included in the instrument of conveyance, shall
4 merge with all right, title, and interest conveyed to the
5 qualified entity by the United States under this section
6 to ensure that the qualified entity receives fee simple title
7 to the purchased encumbered land.

8 **SEC. 5999H. DISPOSITION OF PROCEEDS.**

9 (a) DISPOSITION OF PROCEEDS.—Of the proceeds
10 from the sale of land under this part—

11 (1) 5 percent shall be disbursed to the State for
12 use in the general education program of the State;

13 (2) 10 percent shall be disbursed to the County
14 for use as determined through normal County budg-
15 eting procedures; and

16 (3) the remainder shall be deposited in a special
17 account in the Treasury of the United States, to be
18 known as the “Pershing County Special Account”,
19 which shall be available to the Secretary, in con-
20 sultation with the County, for—

21 (A) the acquisition of land from willing
22 sellers (including interests in land) in the Coun-
23 ty—

24 (i) within a wilderness area;

1 (ii) that protects other environ-
2 mentally significant land;

3 (iii) that secures public access to Fed-
4 eral land for hunting, fishing, and other
5 recreational purposes; or

6 (iv) that improves management of
7 Federal land within the area identified on
8 the Map as “Checkerboard Lands Resolu-
9 tion Area”; and

10 (B) the reimbursement of costs incurred by
11 the Secretary in preparing for the sale or ex-
12 change of land under this part.

13 (b) INVESTMENT OF SPECIAL ACCOUNT.—Any
14 amounts deposited in the special account established
15 under subsection (a)(3)—

16 (1) shall earn interest in an amount determined
17 by the Secretary of the Treasury, based on the cur-
18 rent average market yield on outstanding marketable
19 obligations of the United States of comparable ma-
20 turities; and

21 (2) may be expended by the Secretary in ac-
22 cordance with this section.

23 (c) REPORTS.—

24 (1) IN GENERAL.—Not later than September
25 30 of the fifth fiscal year after the date of enact-

1 ment of this Act, and every 5 fiscal years thereafter,
2 the Secretary shall submit to the State, the County,
3 and the appropriate committees of Congress a report
4 on the operation of the special account established
5 under subsection (a)(3) for the preceding 5 fiscal
6 years.

7 (2) CONTENTS.—Each report submitted under
8 paragraph (1) shall include, for the fiscal year cov-
9 ered by the report—

10 (A) a statement of the amounts deposited
11 into the special account;

12 (B) a description of the expenditures made
13 from the special account for the fiscal year, in-
14 cluding the purpose of the expenditures;

15 (C) recommendations for additional au-
16 thorities to fulfill the purpose of the special ac-
17 count; and

18 (D) a statement of the balance remaining
19 in the special account at the end of the fiscal
20 year.

21 **Subpart B—Wilderness Areas**

22 **SEC. 5999I. ADDITIONS TO THE NATIONAL WILDERNESS**
23 **PRESERVATION SYSTEM.**

24 (a) ADDITIONS.—In accordance with the Wilderness
25 Act (16 U.S.C. 1131 et seq.), the following parcels of Fed-

1 eral land in the State are designated as wilderness and
2 as components of the National Wilderness Preservation
3 System:

4 (1) CAIN MOUNTAIN WILDERNESS ADDITION.—
5 Certain Federal land managed by the Bureau of
6 Land Management, comprising approximately
7 12,339 acres, as generally depicted on the map enti-
8 tled “Proposed Cain Mountain Wilderness” and
9 dated February 9, 2017, shall be added to the Cain
10 Mountain Wilderness established by part 4 of sub-
11 part B of this title.

12 (2) BLUEWING WILDERNESS.—Certain Federal
13 land managed by the Bureau of Land Management,
14 comprising approximately 24,900 acres, as generally
15 depicted on the map entitled “Proposed Bluewing
16 Wilderness” and dated February 9, 2017, which
17 shall be known as the “Bluewing Wilderness”.

18 (3) SELENITE PEAK WILDERNESS.—Certain
19 Federal land managed by the Bureau of Land Man-
20 agement, comprising approximately 22,822 acres, as
21 generally depicted on the map entitled “Proposed
22 Selenite Peak Wilderness” and dated February 9,
23 2017, which shall be known as the “Selenite Peak
24 Wilderness”.

1 (4) MOUNT LIMBO WILDERNESS.—Certain Fed-
2 eral land managed by the Bureau of Land Manage-
3 ment, comprising approximately 11,855 acres, as
4 generally depicted on the map entitled “Proposed
5 Mt. Limbo Wilderness” and dated February 9,
6 2017, which shall be known as the “Mount Limbo
7 Wilderness”.

8 (5) NORTH SAHWAVE WILDERNESS.—Certain
9 Federal land managed by the Bureau of Land Man-
10 agement, comprising approximately 13,875 acres, as
11 generally depicted on the map entitled “Proposed
12 North Sahwave Wilderness” and dated February 9,
13 2017, which shall be known as the “North Sahwave
14 Wilderness”.

15 (6) GRANDFATHERS WILDERNESS.—Certain
16 Federal land managed by the Bureau of Land Man-
17 agement, comprising approximately 35,339 acres, as
18 generally depicted on the map entitled “Proposed
19 Grandfathers Wilderness” and dated February 9,
20 2017, which shall be known as the “Grandfathers
21 Wilderness”.

22 (7) FENCEMAKER WILDERNESS.—Certain Fed-
23 eral land managed by the Bureau of Land Manage-
24 ment, comprising approximately 14,942 acres, as
25 generally depicted on the map entitled “Proposed

1 Fencemaker Wilderness” and dated February 9,
2 2017, which shall be known as the “Fencemaker
3 Wilderness”.

4 (b) BOUNDARY.—The boundary of any portion of a
5 wilderness area that is bordered by a road shall be 100
6 feet from the centerline of the road.

7 (c) MAP AND LEGAL DESCRIPTION.—

8 (1) IN GENERAL.—As soon as practicable after
9 the date of enactment of this Act, the Secretary
10 shall file a map and legal description of each wilder-
11 ness area.

12 (2) EFFECT.—Each map and legal description
13 prepared under paragraph (1) shall have the same
14 force and effect as if included in this part, except
15 that the Secretary may correct clerical and typo-
16 graphical errors in the map or legal description.

17 (3) AVAILABILITY.—Each map and legal de-
18 scription prepared under paragraph (1) shall be on
19 file and available for public inspection in the appro-
20 priate offices of the Bureau of Land Management.

21 (4) WITHDRAWAL.—Subject to valid existing
22 rights, the wilderness areas designated by subsection
23 (a) are withdrawn from—

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

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

3 (C) disposition under all laws relating to
4 mineral and geothermal leasing or mineral ma-
5 terials.

6 **SEC. 5999J. ADMINISTRATION.**

7 (a) **MANAGEMENT.**—Subject to valid existing rights,
8 the wilderness areas shall be administered by the Sec-
9 retary in accordance with the Wilderness Act (16 U.S.C.
10 1131 et seq.), except that with respect to the wilderness
11 areas—

12 (1) any reference in that Act to the effective
13 date shall be considered to be a reference to the date
14 of enactment of this Act; and

15 (2) any reference in that Act to the Secretary
16 of Agriculture shall be considered to be a reference
17 to the Secretary.

18 (b) **LIVESTOCK.**—The grazing of livestock in the wil-
19 derness areas, if established before the date of enactment
20 of this Act, shall be allowed to continue, subject to such
21 reasonable regulations, policies, and practices as the Sec-
22 retary considers to be necessary in accordance with—

23 (1) section 4(d)(4) of the Wilderness Act (16
24 U.S.C. 1133(d)(4)); and

1 (2) the guidelines set forth in Appendix A of
2 the report of the Committee on Interior and Insular
3 Affairs of the House of Representatives accom-
4 panying H.R. 2570 of the 101st Congress (House
5 Report 101–405).

6 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
7 ESTS.—Any land or interest in land within the boundary
8 of a wilderness area that is acquired by the United States
9 after the date of enactment of this Act shall be added to
10 and administered as part of the wilderness area.

11 (d) ADJACENT MANAGEMENT.—

12 (1) IN GENERAL.—Congress does not intend for
13 the designation of the wilderness areas to create pro-
14 tective perimeters or buffer zones around the wilder-
15 ness areas.

16 (2) NONWILDERNESS ACTIVITIES.—The fact
17 that nonwilderness activities or uses can be seen or
18 heard from areas within a wilderness area shall not
19 preclude the conduct of those activities or uses out-
20 side the boundary of the wilderness area.

21 (e) MILITARY OVERFLIGHTS.—Nothing in this part
22 restricts or precludes—

23 (1) low-level overflights of military aircraft over
24 the wilderness areas, including military overflights

1 that can be seen or heard within the wilderness
2 areas;

3 (2) flight testing and evaluation; or

4 (3) the designation or creation of new units of
5 special use airspace, or the establishment of military
6 flight training routes, over the wilderness areas.

7 (f) WILDFIRE, INSECT, AND DISEASE MANAGE-
8 MENT.—In accordance with section 4(d)(1) of the Wilder-
9 ness Act (16 U.S.C. 1133(d)(1)), the Secretary may take
10 such measures in the wilderness areas as are necessary
11 for the control of fire, insects, and diseases (including, as
12 the Secretary determines to be appropriate, the coordina-
13 tion of the activities with a State or local agency).

14 (g) CLIMATOLOGICAL DATA COLLECTION.—In ac-
15 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.)
16 and subject to such terms and conditions as the Secretary
17 may prescribe, the Secretary may authorize the installa-
18 tion and maintenance of hydrologic, meteorologic, or cli-
19 matological data collection devices in the wilderness areas
20 if the Secretary determines that the facilities and access
21 to the facilities are essential to flood warning, flood con-
22 trol, or water reservoir operation activities.

23 (h) WATER RIGHTS.—

24 (1) FINDINGS.—Congress finds that—

25 (A) the wilderness areas are located—

1 (i) in the semiarid region of the Great
2 Basin; and

3 (ii) at the headwaters of the streams
4 and rivers on land with respect to which
5 there are few, if any—

6 (I) actual or proposed water re-
7 source facilities located upstream; and

8 (II) opportunities for diversion,
9 storage, or other uses of water occur-
10 ring outside the land that would ad-
11 versely affect the wilderness values of
12 the land;

13 (B) the wilderness areas are generally not
14 suitable for use or development of new water re-
15 source facilities; and

16 (C) because of the unique nature of the
17 wilderness areas, it is possible to provide for
18 proper management and protection of the wil-
19 derness and other values of land in ways dif-
20 ferent from those used in other laws.

21 (2) PURPOSE.—The purpose of this section is
22 to protect the wilderness values of the wilderness
23 areas by means other than a federally reserved water
24 right.

1 (3) STATUTORY CONSTRUCTION.—Nothing in
2 this part—

3 (A) constitutes an express or implied res-
4 ervation by the United States of any water or
5 water rights with respect to the wilderness
6 areas;

7 (B) affects any water rights in the State
8 (including any water rights held by the United
9 States) in existence on the date of enactment of
10 this Act;

11 (C) establishes a precedent with regard to
12 any future wilderness designations;

13 (D) affects the interpretation of, or any
14 designation made under, any other Act; or

15 (E) limits, alters, modifies, or amends any
16 interstate compact or equitable apportionment
17 decree that apportions water among and be-
18 tween the State and other States.

19 (4) NEVADA WATER LAW.—The Secretary shall
20 follow the procedural and substantive requirements
21 of State law in order to obtain and hold any water
22 rights not in existence on the date of enactment of
23 this Act with respect to the wilderness areas.

24 (5) NEW PROJECTS.—

1 (A) DEFINITION OF WATER RESOURCE FA-
2 CILITY.—

3 (i) IN GENERAL.—In this paragraph,
4 the term “water resource facility” means
5 irrigation and pumping facilities, res-
6 ervoires, water conservation works, aque-
7 ducts, canals, ditches, pipelines, wells, hy-
8 dropower projects, transmission and other
9 ancillary facilities, and other water diver-
10 sion, storage, and carriage structures.

11 (ii) EXCLUSION.—In this paragraph,
12 the term “water resource facility” does not
13 include wildlife guzzlers.

14 (B) RESTRICTION ON NEW WATER RE-
15 SOURCE FACILITIES.—Except as otherwise pro-
16 vided in this part, on and after the date of en-
17 actment of this Act, neither the President nor
18 any other officer, employee, or agent of the
19 United States shall fund, assist, authorize, or
20 issue a license or permit for the development of
21 any new water resource facility within the wil-
22 derness areas.

23 (i) TEMPORARY TELECOMMUNICATIONS DEVICE.—

24 (1) IN GENERAL.—Nothing in this part pre-
25 vents the placement of a temporary telecommuni-

1 cations device for law enforcement or agency admin-
2 istrative purposes in the Selenite Peak Wilderness in
3 accordance with paragraph (2).

4 (2) **ADDITIONAL REQUIREMENTS.**—Any tem-
5 porary telecommunications device authorized by the
6 Secretary under paragraph (1) shall—

7 (A) be carried out in accordance with—

8 (i) the Wilderness Act (16 U.S.C.
9 1131 et seq.); and

10 (ii) all other applicable laws (including
11 regulations);

12 (B) to the maximum practicable, be located
13 in such a manner as to minimize impacts on the
14 recreational and other wilderness values of the
15 area; and

16 (C) be for a period of not longer than 7
17 years.

18 **SEC. 5999K. WILDLIFE MANAGEMENT.**

19 (a) **IN GENERAL.**—In accordance with section
20 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
21 nothing in this part affects or diminishes the jurisdiction
22 of the State with respect to fish and wildlife management,
23 including the regulation of hunting, fishing, and trapping,
24 in the wilderness areas.

1 (b) MANAGEMENT ACTIVITIES.—In furtherance of
2 the purposes and principles of the Wilderness Act (16
3 U.S.C. 1131 et seq.), the Secretary may conduct any man-
4 agement activities in the wilderness areas that are nec-
5 essary to maintain or restore fish and wildlife populations
6 and the habitats to support the populations, if the activi-
7 ties are carried out—

8 (1) consistent with relevant wilderness manage-
9 ment plans; and

10 (2) in accordance with—

11 (A) the Wilderness Act (16 U.S.C. 1131 et
12 seq.); and

13 (B) appropriate policies, such as those set
14 forth in Appendix B of the report of the Com-
15 mittee on Interior and Insular Affairs of the
16 House of Representatives accompanying H.R.
17 2570 of the 101st Congress (House Report
18 101–405), including noxious weed treatment
19 and the occasional and temporary use of motor-
20 ized vehicles if the use, as determined by the
21 Secretary, would promote healthy, viable, and
22 more naturally distributed wildlife populations
23 that would enhance wilderness values with the
24 minimal impact necessary to reasonably accom-
25 plish those tasks.

1 (c) EXISTING ACTIVITIES.—In accordance with sec-
2 tion 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1))
3 and in accordance with appropriate policies such as those
4 set forth in Appendix B of the Committee on Interior and
5 Insular Affairs of the House of Representatives accom-
6 panying H.R. 2570 of the 101st Congress (House Report
7 101–405), the State may continue to use aircraft, includ-
8 ing helicopters, to survey, capture, transplant, monitor,
9 and provide water for wildlife populations.

10 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—
11 Subject to subsection (f), the Secretary shall authorize
12 structures and facilities, including existing structures and
13 facilities, for wildlife water development projects, including
14 guzzlers, in the wilderness areas if—

15 (1) the structures and facilities will, as deter-
16 mined by the Secretary, enhance wilderness values
17 by promoting healthy, viable and more naturally dis-
18 tributed wildlife populations; and

19 (2) the visual impacts of the structures and fa-
20 cilities on the wilderness areas can reasonably be
21 minimized.

22 (e) HUNTING, FISHING, AND TRAPPING.—

23 (1) IN GENERAL.—The Secretary may des-
24 ignate areas in which, and establish periods during
25 which, for reasons of public safety, administration,

1 or compliance with applicable laws, no hunting, fish-
2 ing, or trapping will be permitted in the wilderness
3 areas.

4 (2) CONSULTATION.—Except in emergencies,
5 the Secretary shall consult with the appropriate
6 State agency and notify the public before taking any
7 action under paragraph (1).

8 (f) COOPERATIVE AGREEMENT.—

9 (1) IN GENERAL.—The State, including a des-
10 ignee of the State, may conduct wildlife management
11 activities in the wilderness areas—

12 (A) in accordance with the terms and con-
13 ditions specified in the cooperative agreement
14 between the Secretary and the State entitled
15 “Memorandum of Understanding between the
16 Bureau of Land Management and the Nevada
17 Department of Wildlife Supplement No. 9” and
18 signed November and December 2003, includ-
19 ing any amendments to the cooperative agree-
20 ment agreed to by the Secretary and the State;
21 and

22 (B) subject to all applicable laws (including
23 regulations).

24 (2) REFERENCES; CLARK COUNTY.—For the
25 purposes of this subsection, any references to Clark

1 County in the cooperative agreement described in
2 paragraph (1)(A) shall be considered to be a ref-
3 erence to the wilderness areas.

4 **SEC. 5999L. RELEASE OF WILDERNESS STUDY AREAS.**

5 (a) FINDING.—Congress finds that, for the purposes
6 of section 603(c) of the Federal Land Policy and Manage-
7 ment Act of 1976 (43 U.S.C. 1782(c)), the approximately
8 48,600 acres of public land in the portions of the China
9 Mountain, Mt. Limbo, Selenite Mountains, and Tobin
10 Range wilderness study areas that have not been des-
11 igned as wilderness by section 5999I(a) and the portion
12 of the Augusta Mountains wilderness study area within
13 the County that has not been designated as wilderness by
14 section 5999I(a) have been adequately studied for wilder-
15 ness designation.

16 (b) RELEASE.—The public land described in sub-
17 section (a)—

18 (1) is no longer subject to section 603(c) of the
19 Federal Land Policy and Management Act of 1976
20 (43 U.S.C. 1782(c)); and

21 (2) shall be managed in accordance with the ap-
22 plicable land use plans adopted under section 202 of
23 the Federal Land Policy and Management Act of
24 1976 (43 U.S.C. 1712).

1 **SEC. 5999M. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
2 **USES.**

3 (a) **IN GENERAL.**—Nothing in this part alters or di-
4 minishes the treaty rights of any Indian Tribe.

5 (b) **CULTURAL USES.**—Nothing in this part pre-
6 cludes the traditional collection of pine nuts in a wilder-
7 ness area for personal, noncommercial use consistent with
8 the Wilderness Act (16 U.S.C. 1131 et seq.).

