

EASTERN NEVADA LAND IMPLEMENTATION
IMPROVEMENT ACT

APRIL 11, 2016.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 1815]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1815) to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Eastern Nevada Land Implementation Improvement Act”.

SEC. 2. FACILITATION OF PINYON-JUNIPER RELATED PROJECTS IN LINCOLN COUNTY, NEVADA.

(a) **FACILITATION OF PINYON-JUNIPER RELATED PROJECTS.—**

(1) **AVAILABILITY OF SPECIAL ACCOUNT UNDER LINCOLN COUNTY LAND ACT OF 2000.**—Section 5(b) of the Lincoln County Land Act of 2000 (Public Law 106–298; 114 Stat. 1048) is amended—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting “and implementation” after “development”; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking “; and” at the end and inserting a semicolon; and

(II) by adding at the end the following:

“(iii) development and implementation of comprehensive, cost-effective, and multijurisdictional hazardous fuels reduction projects and wildfire prevention planning activities (particularly for pinyon-juniper

dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or a subsequent amendment to the plan; and”; and

(B) by adding at the end the following:

“(3) COOPERATIVE AGREEMENTS.—Establishment of cooperative agreements between the Bureau of Land Management and the County shall be required for any County-provided law enforcement and planning related activities approved by the Secretary regarding—

“(A) wilderness in the County designated by the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);

“(B) cultural resources identified, protected, and managed pursuant to that Act;

“(C) planning, management, and law enforcement associated with the Silver State OHV Trail designated by that Act; and

“(D) planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to that Act (other than rights-of-way granted pursuant to that Act) and this Act.”.

(2) AVAILABILITY OF SPECIAL ACCOUNT UNDER LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT OF 2004.—Section 103 of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2406) is amended—

(A) in subsection (b)(3)—

(i) in subparagraph (E), by striking “; and” at the end and inserting a semicolon;

(ii) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(G) development and implementation of comprehensive, cost-effective, and multijurisdictional hazardous fuels reduction and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or a subsequent amendment to the plan.”; and

(B) by adding at the end the following:

“(d) COOPERATIVE AGREEMENTS.—Establishment of cooperative agreements between the Bureau of Land Management and the County shall be required for any County-provided law enforcement and planning related activities approved by the Secretary regarding—

“(1) wilderness in the County designated by this Act;

“(2) cultural resources identified, protected, and managed pursuant to this Act;

“(3) planning, management, and law enforcement associated with the Silver State OHV Trail designated by this Act; and

“(4) planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to this Act (other than rights-of-way granted pursuant to this Act) and the Lincoln County Land Act of 2000 (Public Law 106–298; 114 Stat. 1046).”.

(b) DISPOSITION OF PROCEEDS.—

(1) DISPOSITION OF PROCEEDS UNDER LINCOLN COUNTY LAND ACT OF 2000.—Section 5(a)(2) of the Lincoln County Land Act of 2000 (Public Law 106–298; 114 Stat. 1047) is amended by inserting “and the Lincoln County Regional Development Authority” after “schools”.

(2) DISPOSITION OF PROCEEDS UNDER LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT OF 2004.—Section 103(b)(2) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2405) is amended by striking “and transportation” and inserting “transportation, and the Lincoln County Regional Development Authority or any other County economic development organization”.

(c) REALIGN A PORTION OF THE LCCRDA UTILITY CORRIDOR.—Section 301(a) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2413) establishes a 2,640-foot wide utility corridor as depicted on a map dated October 1, 2004. The Secretary of the Interior shall realign a portion of the corridor by removing the designation in sections 5, 6, 7, 8, 9, 10, 11, 14, and 15, T. 7 N., R. 68 E. and realigning the corridor to sections 31, 32, and 33, T. 8 N., R. 68 E.; sections 4, 5, and 6, T. 7 N., R. 68 E.; and sections 1 and 12, T. 7 N., 67 E. as shown on the October 1, 2004, map.

(d) FINAL CORRECTIVE PATENT IN CLARK COUNTY, NEVADA.—

(1) VALIDATION OF PATENT.—Patent number 27-2005-0081 issued by the Bureau of Land Management on February 18, 2005, is affirmed and validated as having been issued pursuant to, and in compliance with, the Nevada-Florida Land Exchange Authorization Act of 1988 (Public Law 100–275; 102 Stat. 52), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for the benefit of the desert tortoise, other species, and the habitat of the desert tortoise and other species to increase the likelihood of the recovery of the desert tortoise and other species.

(2) RATIFICATION OF RECONFIGURATION.—The process used by the United States Fish and Wildlife Service and the Bureau of Land Management in reconfiguring the land described in paragraph (1), as depicted on Exhibit 1-4 of the Final Environmental Impact Statement for the Planned Development Project MSHCP, Lincoln County, NV (FWS-R8-ES-2008-N0136) and the reconfiguration provided for in Special Condition 10 of the Army Corps of Engineers Permit No. 000005042 are ratified.

(e) FINAL LAND RECONFIGURATION IN LINCOLN COUNTY, NEVADA.—**(1) DEFINITIONS.—In this subsection:**

(A) MAP.—The term “Map” means the map prepared by the Bureau of Land Management entitled “Proposed Lincoln County Land Reconfiguration” and dated January 28, 2016.

(B) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(2) ISSUANCE OF LINCOLN COUNTY CORRECTIVE PATENT.—

(A) IN GENERAL.—The Secretary may issue a corrective patent for 7,548 acres of land in Lincoln County, Nevada, that is depicted on the Map.

(B) APPLICABLE LAW.—A corrective patent issued under subparagraph (A) shall be considered to have been issued pursuant to, and in compliance with, the Nevada-Florida Land Exchange Authorization Act of 1988 (Public Law 100–275; 102 Stat. 52).

SEC. 3. MT. MORIAH WILDERNESS, HIGH SCHELLS WILDERNESS, AND ARC DOME WILDERNESS BOUNDARY ADJUSTMENTS.

(a) AMENDMENTS TO THE PAM WHITE WILDERNESS ACT.—Section 323 of the Pam White Wilderness Act of 2006 (16 U.S.C. 1132 note; Public Law 109–432; 120 Stat. 3031) is amended by striking subsection (e) and inserting the following:

“(e) MT. MORIAH WILDERNESS ADJUSTMENT.—The boundary of the Mt. Moriah Wilderness established under section 2(13) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101–195) is adjusted to include—

“(1) the land identified as the ‘Mount Moriah Wilderness Area’ and ‘Mount Moriah Additions’ on the map entitled ‘Eastern White Pine County’ and dated November 29, 2006; and

“(2) the land identified as ‘NFS Lands’ on the map entitled ‘Proposed Wilderness Boundary Adjustment Mt. Moriah Wilderness Area’ and dated June 18, 2014.

“(f) HIGH SCHELLS WILDERNESS ADJUSTMENT.—The boundary of the High Schells Wilderness established under subsection (a)(11) is adjusted to include the land identified as ‘Include as Wilderness’ on the map entitled ‘McCoy Creek Adjustment’ and dated November 3, 2014, and to exclude the land identified as ‘NFS Lands’ on the map entitled ‘Proposed Wilderness Boundary Adjustment High Schells Wilderness Area’ and dated June 17, 2014.”

(b) AMENDMENTS TO THE NEVADA WILDERNESS PROTECTION ACT OF 1989.—The Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101–195; 103 Stat. 1784) is amended by adding at the end the following:

“SEC. 12. ARC DOME BOUNDARY ADJUSTMENT.

“The boundary of the Arc Dome Wilderness established under section 2(2) is adjusted to exclude the land identified as ‘Exclude from Wilderness’ on the map entitled ‘Arc Dome Adjustment’ and dated November 3, 2014.”

SEC. 4. IMPLEMENTATION OF CONSERVATION PLAN, VIRGIN RIVER, NEVADA.

Section 3(d)(3)(B) of Public Law 99–548 (100 Stat. 3061; 116 Stat. 2018) is amended by striking “development of a multispecies habitat conservation plan for” and inserting “development and implementation of a conservation plan to benefit fish and wildlife species of”.

SEC. 5. TECHNICAL AMENDMENT.

Section 3(f)(2)(B) of Public Law 99–548 (100 Stat. 3061) is amended by striking “(v) Sec. 7.”

PURPOSE OF THE BILL

The purpose of H.R. 1815 is to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada.

BACKGROUND AND NEED FOR LEGISLATION

In 2002, the U.S. Fish and Wildlife Service (FWS) required the City of Mesquite, Nevada, to create a multiple species habitat conservation plan (MSHCP) to protect several species in the Lower Virgin River Basin before moving ahead with two land acquisitions. The City planned to use funds from the Mesquite Lands Act, a law passed by Congress in 1986, which allows the City to acquire and develop lands from the federal government to complete the MSHCP. FWS signed a memorandum of agreement (MOA) with the City to carry out the law. This agreement expired in 2014, and the FWS refused to sign a new MOA or allow the City access to necessary funding because it did not feel that current legislation enabled FWS to implement the MSHCP. As a result, all efforts to advance the MSHCP and expand the City have been halted. H.R. 1815 remedies the problem by making a technical correction to the Mesquite Lands Act of 1988 that will provide the necessary authority to FWS to implement the conservation plan, after signing a new MOA with the City of Mesquite.

Another provision of H.R. 1815 is intended to assist in rangeland and woodland restoration projects by authorizing the Bureau of Land Management (BLM) to use a portion of proceeds from land sales to conduct hazardous fuel reduction projects and wildfire planning in pinyon-juniper landscapes. Under the Lincoln County Land Act (LCLA) and Lincoln County Conservation, Recreation and Development Act (LCCRDA), 85 percent of proceeds from the sale of federal lands are managed in special accounts with uses prescribed by BLM. H.R. 1815 provides BLM with flexibility to determine which projects can be funded for pinyon-juniper landscape restoration projects using existing funds in the special account. Thinning of pinyon-juniper stands will help to prevent catastrophic wildfires and protect and enhance greater sage-grouse habitat in the County.

H.R. 1815 also reduces the size of three wilderness areas in White Pine and Nye counties by approximately 50 acres. It reduces the Mt. Moriah Wilderness Area by 23 acres to improve public access to the Big Canyon Trailhead main road and facilities; the High Schells Wilderness Area by 11.7 acres to adjust a road and provide land to an existing Girl Scout Camp; and the Arc Dome Wilderness Area by approximately 10 acres to release a small dam owned and operated by the Yamba Tribe.

During Committee consideration, Congressman Crescent Hardy (R-NV), the author of the bill, proposed an amendment that made a number of technical changes and additions to H.R. 1815. The amendment revised language clarifying the scope of cooperative agreements required under the bill, eliminated the “waiver of fees” language, and revised the “utility corridor” language to ensure that the Southern Nevada Water Authority does not face unintended

consequences with respect to use of the corridor. Many of these changes were proposed after extensive consultations with BLM, the Nevada delegation, and local stakeholders. The amendment also adds two new sections that affirm and validate a corrective patent and associated land reconfiguration in the Coyote Springs Valley issued by the BLM in 2005. This language will enable implementation of the land reconfiguration stipulated in the Coyote Springs Multiple Species Habitat Conservation Plan, which is intended to protect habitat while allowing economic development in south-central Nevada.

COMMITTEE ACTION

H.R. 1815 was introduced on April 15, 2015, by Congressman Crescent Hardy (R–NV). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On February 2, 2016, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Crescent Hardy (R–NV) offered an amendment designated 028. The amendment was adopted by unanimous consent. No other amendments were offered, and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent on February 3, 2016.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 1815—Eastern Nevada Land Implementation Improvement Act

Summary: Three current laws—the Lincoln County Land Act of 2000, the Lincoln County Conservation, Recreation, and Development Act of 2004, and the Southern Nevada Public Land Management Act of 1998—provide for the disposal of public lands within Lincoln and Clark Counties in Nevada. Under those laws, proceeds from land sales are deposited into special accounts that are available to be spent by the Bureau of Land Management (BLM) and the U.S. Fish and Wildlife Service (USFWS) to facilitate land sales,

develop land management plans, and perform other specified activities in Lincoln and Clark Counties.

H.R. 1815 would authorize BLM and the USFWS to spend funds available in those accounts to carry out additional activities in Lincoln and Clark Counties.

Spending from the special accounts occurs without further appropriation, and are thus considered direct spending. Based on information from BLM and the USFWS, CBO estimates that enacting this legislation would increase spending from those accounts by \$2 million over the 2017–2026 period. The legislation also would make other changes to the management of federal lands that CBO estimates would have no significant cost.

Because enacting H.R. 1815 would affect direct spending, pay-as-you-go procedures apply. Enacting the bill would not affect revenues.

CBO estimates that enacting H.R. 1815 would not increase net direct spending or on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2027.

H.R. 1815 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Basis of estimate: H.R. 1815 would authorize BLM to use funds available in special accounts to cover the costs of fuel reduction and wildfire prevention activities on federal lands in Lincoln County, Nevada. The bill also would authorize the use of those funds to carry out wildlife conservation plans in Lincoln and Clark Counties.

The affected accounts currently have unobligated balances totaling \$270 million. Because those amounts would be available to be spent without further appropriation on new activities, this legislation would increase direct spending. In recent years BLM and the USFWS have spent about \$14 million a year on authorized activities. Based on information from affected agencies about future plans for fuel reduction and wildlife conservation projects, CBO estimates that enacting this legislation would increase direct spending from those special accounts by \$2 million over the 2017–2026 period.

CBO expects that most of that spending would be for fuel reduction and conservation projects in Lincoln County. Based on information from local planners, CBO expects that implementing the wildlife conservation plan for Lincoln County will cost around \$20 million over the next 30 years; most of those funds would come from state, local, and private contributions. Therefore, CBO does not expect that the legislation would significantly increase federal spending for that activity.

In addition, the bill would authorize land sale proceeds provided to Lincoln County to be used to support the Lincoln County Regional Development Authority; require BLM to enter into cooperative agreements with local agencies for any law enforcement or planning activities provided by those agencies; and make technical adjustments to the boundaries of several federal wilderness areas and a utility corridor on public land in Nevada. Finally, the bill would validate a corrective patent issued by BLM for lands in Clark County and authorize BLM to issue a corrective patent for lands in Lincoln County. CBO estimates that those provisions in the legislation would not have a significant effect on the budget.

Pay-As-You-Go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in direct spending that are subject to those pay-as-you-go procedures are shown in the following table.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 1815, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON NATURAL RESOURCES ON FEBRUARY 3, 2016

	By fiscal year, in millions of dollars—													
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2016–2021	2016–2026	
NET INCREASE IN THE DEFICIT														
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	0	0	2

Increase in long-term deficit and direct spending: CBO estimates that enacting H.R. 1815 would not increase net direct spending or on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2027.

Intergovernmental and private-sector impact: H.R. 1815 contains no intergovernmental or private-sector mandates as defined in UMRA and would benefit local and regional governments in Nevada by authorizing federal funds to be used to support wildfire prevention and wildlife conservation projects. Any costs to those entities would be incurred voluntarily.

Estimate prepared by: Federal costs: Jon Sperl; Impact on state, local, and tribal governments: Jon Sperl; Impact on the private sector: Amy Petz.

Estimate approved by: Theresa A. Gullo; Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, credit authority, or an increase or decrease in revenues or tax expenditures. The Congressional Budget Office has estimated that enactment of the bill would increase direct spending by \$2 million over 2017–2026.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

LINCOLN COUNTY LAND ACT OF 2000

* * * * *

SEC. 5. DISPOSITION OF PROCEEDS.

(a) **LAND SALES.**—Of the gross proceeds of sales of land under this Act in a fiscal year—

(1) 5 percent shall be paid directly to the State of Nevada for use in the general education program of the State;

(2) 10 percent shall be returned to the County for use as determined through normal county budgeting procedures, with emphasis given to support of schools *and the Lincoln County Regional Development Authority*, of which no amount may be used in support of litigation against the Federal Government; and

(3) the remainder shall be deposited in a special account in the Treasury of the United States (referred to in this section as the “special account”) for use as provided in subsection (b).

(b) **AVAILABILITY OF SPECIAL ACCOUNT.**—

(1) **IN GENERAL.**—Amounts in the special account (including amounts earned as interest under paragraph (3)) shall be available to the Secretary of the Interior, without further Act of appropriation, and shall remain available until expended, for—

(A) inventory, evaluation, protection, and management of unique archaeological resources (as defined in section 3 of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470bb)) in the County;

(B) development *and implementation* of a multispecies habitat conservation plan in the County;

(C)(i) reimbursement of costs incurred by the Nevada State Office and the Ely Field Office of the Bureau of Land Management in preparing sales under this Act, or other authorized land sales within the County, including the costs of land boundary surveys, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), appraisals, environmental and cultural clearances, and any public notice【; and】;

(ii) processing public land use authorizations and rights-of-way stemming from development of the conveyed land; and

(iii) *development and implementation of comprehensive, cost-effective, and multijurisdictional hazardous fuels reduction projects and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or a subsequent amendment to the plan; and*

(D) the cost of acquisition of environmentally sensitive land or interests in such land in the State of Nevada, with priority given to land outside Clark County.

(2) ACQUISITION FROM WILLING SELLERS.—An acquisition under paragraph (1)(D) shall be made only from a willing seller and after consultation with the State of Nevada and units of local government under the jurisdiction of which the environmentally sensitive land is located.

(3) COOPERATIVE AGREEMENTS.—*Establishment of cooperative agreements between the Bureau of Land Management and the County shall be required for any County-provided law enforcement and planning related activities approved by the Secretary regarding—*

(A) *wilderness in the County designated by the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);*

(B) *cultural resources identified, protected, and managed pursuant to that Act;*

(C) *planning, management, and law enforcement associated with the Silver State OHV Trail designated by that Act; and*

(D) *planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to that Act (other than rights-of-way granted pursuant to that Act) and this Act.*

(c) INVESTMENT OF SPECIAL ACCOUNT.—All funds deposited as principal in the special account shall earn interest in the amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities.

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**LINCOLN COUNTY CONSERVATION, RECREATION, AND
DEVELOPMENT ACT OF 2004**

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TITLE I—LAND DISPOSAL

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SEC. 103. DISPOSITION OF PROCEEDS.

(a) INITIAL LAND SALE.—Section 5 of the Lincoln County Land Act of 2000 (114 Stat. 1047) shall apply to the disposition of the gross proceeds from the sale of land described in section 102(b)(1).

(b) DISPOSITION OF PROCEEDS.—Proceeds from sales of lands described in section 102(b)(2) shall be disbursed as follows—

(1) 5 percent shall be paid directly to the state for use in the general education program of the State;

(2) 10 percent shall be paid to the County for use for fire protection, law enforcement, public safety, housing, social services, education, planning, ~~and transportation~~ *transportation, and the Lincoln County Regional Development Authority or any other County economic development organization*; and

(3) the remainder shall be deposited in a special account in the Treasury of the United States and shall be available without further appropriation to the Secretary until expended for—

(A) the reimbursement of costs incurred by the Nevada State office and the Ely Field Office of the Bureau of Land Management for preparing for the sale of land described in section 102(b) including surveys appraisals, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and compliance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711, 1712);

(B) the inventory, evaluation, protection, and management of unique archaeological resources (as defined in section 3 of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470bb)) of the County;

(C) the development and implementation of a multispecies habitat conservation plan for the County;

(D) processing of public land use authorizations and rights-of-way relating to the development of land conveyed under section 102(a) of this Act;

(E) processing the Silver State OHV trail and implementing the management plan required by section 151(c)(2) of this Act ~~and~~;

(F) processing wilderness designation, including but not limited to, the costs of appropriate fencing, signage, public education, and enforcement for the wilderness areas designated ~~and~~;

(G) *development and implementation of comprehensive, cost-effective, and multijurisdictional hazardous fuels reduction and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or a subsequent amendment to the plan.*

(c) INVESTMENT OF SPECIAL ACCOUNT.—Any amounts deposited in the special account shall earn interest in an amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities, and may be expended according to the provisions of this section.

(d) COOPERATIVE AGREEMENTS.—*Establishment of cooperative agreements between the Bureau of Land Management and the County shall be required for any County-provided law enforcement and planning related activities approved by the Secretary regarding—*

- (1) *wilderness in the County designated by this Act;*
- (2) *cultural resources identified, protected, and managed pursuant to this Act;*
- (3) *planning, management, and law enforcement associated with the Silver State OHV Trail designated by this Act; and*
- (4) *planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to this Act (other than rights-of-way granted pursuant to this Act) and the Lincoln County Land Act of 2000 (Public Law 106-298; 114 Stat. 1046).*

* * * * *

SECTION 323 OF THE PAM WHITE WILDERNESS ACT OF 2006

* * * * *

SEC. 323. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM

(a) ADDITIONS.—The following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

- (1) MT. MORIAH WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service and the Bureau of Land Management, comprising approximately 11,261 acres, as generally depicted on the map entitled “Eastern White Pine County” and dated November 29, 2006, is incorporated in, and shall be managed as part of, the Mt. Moriah Wilderness, as designated by section 2(13) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195).
- (2) MOUNT GRAFTON WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 78,754 acres, as generally depicted on the map entitled “Southern White Pine County” and dated November 29, 2006, which shall be known as the “Mount Grafton Wilderness”.
- (3) SOUTH EGAN RANGE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 67,214 acres, as generally depicted on the map entitled “Southern White Pine County” and dated November 29, 2006, which shall be known as the “South Egan Range Wilderness”.

(4) HIGHLAND RIDGE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management and the Forest Service, comprising approximately 68,627 acres, as generally depicted on the map entitled “Southern White Pine County” and dated November 29, 2006, which shall be known as the “Highland Ridge Wilderness”.

(5) GOVERNMENT PEAK WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 6,313 acres, as generally depicted on the map entitled “Eastern White Pine County” and dated November 29, 2006, which shall be known as the “Government Peak Wilderness”.

(6) CURRANT MOUNTAIN WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service, comprising approximately 10,697 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, is incorporated in, and shall be managed as part of, the “Currant Mountain Wilderness”, as designated by section 2(4) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195).

(7) RED MOUNTAIN WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 20,490 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, which shall be known as the “Red Mountain Wilderness”.

(8) BALD MOUNTAIN WILDERNESS.—Certain Federal land managed by the Bureau of Land Management and the Forest Service, comprising approximately 22,366 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, which shall be known as the “Bald Mountain Wilderness”.

(9) WHITE PINE RANGE WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 40,013 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, which shall be known as the “White Pine Range Wilderness”.

(10) SHELLBACK WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 36,143 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, which shall be known as the “Shellback Wilderness”.

(11) HIGH SCHELLS WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 121,497 acres, as generally depicted on the map entitled “Eastern White Pine County” and dated November 29, 2006, which shall be known as the “High Schells Wilderness”.

(12) BECKY PEAK WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 18,119 acres, as generally depicted on the map entitled “Northern White Pine County” and dated November 29, 2006, which shall be known as the “Becky Peak Wilderness”.

(13) GOSHUTE CANYON WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 42,544 acres, as generally depicted on the map entitled “Northern White Pine County” and dated November 29,

2006, which shall be known as the “Goshute Canyon Wilderness”.

(14) BRISTLECONE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 14,095 acres, as generally depicted on the map entitled “Eastern White Pine County” and dated November 29, 2006, which shall be known as the “Bristlecone Wilderness”.

(b) BOUNDARY.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by a road shall be at least 100 feet from the edge of the road to allow public access.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area designated by subsection (a) with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(2) EFFECT.—Each map and legal description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in the appropriate offices of—

- (A) the Bureau of Land Management;
- (B) the Forest Service; and
- (C) the National Park Service.

(d) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas designated by subsection (a) are withdrawn from—

- (1) all forms of entry, appropriation, and disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing and geothermal leasing laws.

[(e) MT. MORIAH WILDERNESS BOUNDARY ADJUSTMENT.—The boundary of the Mt. Moriah Wilderness established under section 2(13) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195) is adjusted to include only the land identified as the “Mount Moriah Wilderness Area” and “Mount Moriah Additions” on the map entitled “Eastern White Pine County” and dated November 29, 2006.]

(e) MT. MORIAH WILDERNESS ADJUSTMENT.—The boundary of the Mt. Moriah Wilderness established under section 2(13) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195) is adjusted to include—

- (1) the land identified as the “Mount Moriah Wilderness Area” and “Mount Moriah Additions” on the map entitled “Eastern White Pine County” and dated November 29, 2006; and*
- (2) the land identified as “NFS Lands” on the map entitled “Proposed Wilderness Boundary Adjustment Mt. Moriah Wilderness Area” and dated June 18, 2014.*

(f) HIGH SCHELLS WILDERNESS ADJUSTMENT.—The boundary of the High Schells Wilderness established under subsection (a)(11) is adjusted to include the land identified as “Include as Wilderness”

on the map entitled "McCoy Creek Adjustment" and dated November 3, 2014, and to exclude the land identified as "NFS Lands" on the map entitled "Proposed Wilderness Boundary Adjustment High Schells Wilderness Area" and dated June 17, 2014.

NEVADA WILDERNESS PROTECTION ACT OF 1989

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SEC. 12. ARC DOME BOUNDARY ADJUSTMENT.

The boundary of the Arc Dome Wilderness established under section 2(2) is adjusted to exclude the land identified as "Exclude from Wilderness" on the map entitled "Arc Dome Adjustment" and dated November 3, 2014.

PUBLIC LAW 99-548

AN ACT To transfer certain real property to the City of Mesquite, Nevada.

* * * * *

SEC. 3. NOTIFICATION AND SALE PERIODS.

(a) **FIRST AREA.**—(1) No later than 180 days after the date of enactment of this Act, the City of Mesquite shall notify the Secretary as to which if any of the public lands within the area specified in paragraph (2) of this subsection the city wishes to purchase.

(2) For the period of one year after the date of enactment of this Act, the city shall have the exclusive right to purchase public lands within the area identified on the map as "Area One".

(b) **SECOND AREA.**—(1) No later than three years after the date of enactment of this Act, the City of Mesquite shall notify the Secretary as to which if any of the public lands within the area specified in paragraph (2) of this subsection the city wishes to purchase.

(2) For a period of four years after the date of enactment of this Act, the city shall have the exclusive right to purchase public lands within the area identified on the map as "Area Two".

(c) **THIRD AREA.**—(1) No later than five years after the date of enactment of this Act, the City of Mesquite shall notify the Secretary as to which if any of the public lands within the area specified in paragraph (2) of this subsection the city wishes to purchase.

(2) For a period of six years after the date of enactment of this Act, the city shall have the exclusive right to purchase public lands within the area identified on the map as "Area Three".

(d) **FOURTH AREA.**—(1) No later than ten years after the date of enactment of this Act, the City of Mesquite shall notify the Secretary as to which if any of the public lands identified in paragraph(2) of this subsection the city wishes to purchase.

(2) For a period of twelve years after the date of enactment of this Act, the city shall have exclusive right to purchase the following parcels of public lands:

Parcel A—East ½ Sec. 6, T. 13 S., R. 71 E., Mount Diablo Meridian; Sec. 5, T. 13 S., R. 71 E., Mount Diablo Meridian; West ½ Sec. 4, T. 13 S., R. 71 E, Mount Diablo Meridian; East ½, West ½ Sec. 4, T. 13 S., R. 71 E., Mount Diablo Meridian.

Parcel B—North ½ Sec. 7, T. 13 S., R. 71 E., Mount Diablo Meridian; South East ¼ Sec. 12, T. 13 S., R. 70 E., Mount Dia-

blo Meridian; East $\frac{1}{2}$, North East $\frac{1}{4}$ Sec. 12, T. 13 S., R. 70 E., Mount Diablo Meridian; East $\frac{1}{2}$, West $\frac{1}{2}$ North East $\frac{1}{4}$ Sec. 12, T. 13 S., R. 70 E., Mount Diablo Meridian.

Parcel C—West $\frac{1}{2}$ Sec. 6, T. 13 S., R. 71 E., Mount Diablo Meridian; Sec. 1, T. 13 S., R. 70 E., Mount Diablo Meridian; West $\frac{1}{2}$, West $\frac{1}{2}$, North East $\frac{1}{4}$ Sec. 12, T. 13 S., R. 70 E., Mount Diablo Meridian; North West $\frac{1}{4}$ Sec. 13, S., R. 70 E., Mount Diablo Meridian; West $\frac{1}{2}$ Sec. 12, 3' 13 S., R. 70 E., Mount Diablo Meridian; East $\frac{1}{2}$, South East $\frac{1}{4}$, Sec. 11, T. 13 S., R. 70 E., Mount Diablo Meridian; East $\frac{1}{2}$ North East $\frac{1}{4}$, Sec. 14, T. 13 S., R. 70 E., Mount Diablo Meridian.

Parcel D—South $\frac{1}{2}$ Sec. 14, T. 13 S., R. 70 E., Mount Diablo Meridian; South West $\frac{1}{4}$, Sec. 13, T. 13 S., R. 70 E., Mount Diablo Meridian; Portion of section 23, North of Interstate 15, T. 13 S., R. 70 E., Mount Diablo Meridian; Portion of section 24, North of Interstate 15, T. 13 S., R. 70 E., Mount Diablo Meridian; Portion of section 26, North of Interstate 15, T. 13 S., R. 70 E., Mount Diablo Meridian.

(3) USE OF PROCEEDS.—The proceeds of the sale of each parcel completed after the date of enactment of this subsection shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and shall be available for use by the Secretary—

(A) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this section;

(B) for the [development of a multispecies habitat conservation plan for] *development and implementation of a conservation plan to benefit fish and wildlife species of the Virgin River in Clark County, Nevada, including any associated groundwater monitoring plan; and*

(C) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

(4) TIMING.—Not later than 90 days after the date of enactment of this section, the Secretary shall complete the sale of any parcel authorized to be conveyed pursuant to this section and for which the Secretary has received notification from the city under paragraph (1).

(e) FIFTH AREA.—

(1) RIGHT TO PURCHASE.—

(A) IN GENERAL.—For a period of 12 years after the date of the enactment of this Act, the City of Mesquite, Nevada, subject to all appropriate environmental reviews, including compliance with the National Environmental Policy Act and the Endangered Species Act, shall have the exclusive right to purchase the parcels of public land described in paragraph (2).

(B) APPLICABILITY.—Subparagraph (A) shall apply to a parcel of land described in paragraph (2) that has not been identified for disposal in the 1998 Bureau of Land Management Las Vegas Resource Management Plan only if the conveyance is made under subsection (f).

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are as follows:

(A) In T. 13 S., R. 70 E., Mount Diablo Meridian, Nevada:

(i) The portion of sec. 27 north of Interstate Route 15.

(ii) Sec. 28: NE $\frac{1}{4}$, S $\frac{1}{2}$ (except the Interstate Route 15 right-of-way).

(iii) Sec. 29: E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

(iv) The portion of sec. 30 south of Interstate Route 15.

(v) The portion of sec. 31 south of Interstate Route 15.

(vi) Sec. 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$ (except the Interstate Route 15 right-of-way), the portion of NW $\frac{1}{4}$ NE $\frac{1}{4}$ south of Interstate Route 15, and the portion of W $\frac{1}{2}$ south of Interstate Route 15.

(vii) The portion of sec. 33 north of Interstate Route 15.

(B) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

(i) The portion of sec. 25 south of Interstate Route 15.

(ii) The portion of sec. 26 south of Interstate Route 15.

(iii) The portion of sec. 27 south of Interstate Route 15.

(iv) Sec. 28: SW $\frac{1}{4}$ SE $\frac{1}{4}$.

(v) Sec. 33: E $\frac{1}{2}$.

(vi) Sec. 34.

(vii) Sec. 35.

(viii) Sec. 36.

(f) SIXTH AREA.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall convey to the City of Mesquite, Nevada, in accordance with section 47125 of title 49, United States Code, and subject to all appropriate environmental reviews, including compliance with the National Environmental Policy Act and the Endangered Species Act, up to 2,560 acres of public land to be selected by the city from among the parcels of land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

(A) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

(i) The portion of sec. 28 south of Interstate Route 15 (except S $\frac{1}{2}$ SE $\frac{1}{4}$).

(ii) The portion of sec. 29 south of Interstate Route 15.

(iii) The portion of sec. 30 south of Interstate Route 15.

(iv) The portion of sec. 31 south of Interstate Route 15.

(v) Sec. 32.

(vi) Sec. 33: W $\frac{1}{2}$.

(B) In T. 14 S., R. 69 E., Mount Diablo Meridian, Nevada:

- (i) Sec. 4.
- (ii) Sec. 5.
- (iii) Sec. 6.
- (iv) Sec. 7.
- (v) Sec. 8.
- [(v) Sec. 7.]

(C) In T. 14 S., R. 68 E., Mount Diablo Meridian, Nevada:

- (i) Sec. 1.
- (ii) Sec. 12.

(3) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of the enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.

(4) If the land conveyed pursuant to this section is not utilized by the city as an airport, it shall revert to the United States, at the option of the Secretary.

(5) Nothing in this section shall preclude the Secretary from applying appropriate terms and conditions as identified by the required environmental review to any conveyance made under this section.

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