

EASTERN NEVADA ECONOMIC DEVELOPMENT AND LAND
MANAGEMENT IMPROVEMENT ACT

SEPTEMBER 14, 2017.—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. 2374]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2374) 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 fully implement the White Pine County Conservation, Recreation, and Development Act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 2374 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 fully implement the White Pine County Conservation, Recreation, and Development Act.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2374 authorizes hazardous fuel reduction projects and wild-fire planning for rangeland and woodland restoration projects in Lincoln County, Nevada; reduces the size of three wilderness areas; and provides for the development and implementation of a Virgin River, Nevada, conservation plan.

The bill makes a technical correction to help implement a multiple species habitat conservation plan (MSHCP) to benefit the economic development and expansion in Mesquite, Nevada. In 2002, the U.S. Fish and Wildlife Service (FWS) required the City of Mes-

quite to create a 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 (Public Law 99–548)—a law passed by Congress in 1986 that allowed the city to acquire and develop lands from the federal government—to complete the MSHCP. FWS signed a memorandum of agreement (MOA) with Mesquite 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 them to implement the MSHCP. As a result, all efforts to advance the MSHCP and expand the City are at a standstill. This bill remedies the problem by making a technical correction to the Mesquite Lands Act that will provide the necessary authority to FWS to implement the conservation plan, after it signs a new MOA with the City of Mesquite.

Another provision of the bill assists 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 of 2000 (LCLA, Public Law 106–298) and Lincoln County Conservation, Recreation and Development Act of 2004 (LCCRDA, Public Law 108–424), 85 percent of proceeds from the sale of federal lands are managed in special accounts with prescribed uses by BLM. This bill 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 as well as protect and enhance greater sage-grouse habitat in the County.

Lastly, the bill makes several boundary adjustments that collectively reduce three wilderness areas in White Pine and Nye Counties by approximately 50 acres. The bill reduces the Mt. Moriah Wilderness Area by 23 acres to improve public access to the Big Canyon Trailhead main road and facilities. The bill reduces the High Schells Wilderness Area by 11.7 acres to adjust a road and provide land to an existing Girl Scout Camp. Finally, the bill reduces the size of the Arc Dome Wilderness Area by approximately 10 acres to release a small dam owned and operated by the Yamba Tribe.

An identical bill, H.R. 1815, authored by Congressman Crescent Hardy (R–NV), was favorably reported by the Natural Resources Committee in the 114th Congress, and passed the House of Representatives by a roll call vote of 360 to 7 on June 7, 2016. No action was taken in the Senate.

COMMITTEE ACTION

H.R. 2374 was introduced on May 4, 2017, by Congressman Ruben Kihuen (D–NV). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On July 25, 2017, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. No amendments were offered, and the bill was ordered favorably reported to the House of Representatives by unanimous consent on July 26, 2017.

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 and the Congressional Budget Act of 1974. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 13, 2017.

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2374, the Eastern Nevada Economic Development and Land Management Improvement Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jeff LaFave.

Sincerely,

KEITH HALL,
Director.

Enclosure.

H.R. 2374—Eastern Nevada Economic Development and Land Management 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 White Pine County Conservation, Recreation, and Development Act of 2006—provide for the disposal of public lands within Lincoln and White Pine 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) to facilitate land sales, develop land management plans, and perform other specified activities in those counties.

H.R. 2374 would authorize BLM to spend funds available in those accounts to carry out additional activities in Lincoln and White Pine Counties. Spending from the special accounts occurs without further appropriation and is thus considered direct spending. Based on information from BLM, CBO estimates that enacting the bill would increase spending from those accounts by a total of \$2 million over the 2018–2027 period. The bill also would make other changes to the management of federal lands that CBO estimates would have no significant cost.

Because enacting H.R. 2374 would affect direct spending, pay-as-you-go procedures apply. Enacting the bill would not affect revenues.

CBO estimates that enacting H.R. 2374 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 2028.

H.R. 2374 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Basis of estimate: H.R. 2374 would authorize BLM to use funds available in several special accounts to conduct fuel reduction and other wildfire prevention activities and to carry out a wildlife conservation plan in Lincoln County. In addition, the bill would authorize the use of funds to cover the cost of processing land use authorizations and rights-of-way in White Pine County.

The affected accounts currently have unobligated balances totaling about \$35 million. Because those amounts would be available to be spent without further appropriation on new activities, enacting the bill would increase direct spending over the next 10 years. In recent years BLM has spent about \$2 million a year on authorized activities. Based on information from BLM about plans to spend additional funds from the special accounts to carry out activities authorized under H.R. 2374, CBO estimates that enacting the legislation would increase direct spending by \$2 million over the 2018–2027 period.

CBO expects that most of that spending would be for fuel reduction and land 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; however 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, based on information provided by BLM regarding the amount of funds in the White Pine County special account, CBO estimates that any additional spending from that account would be negligible.

Finally, 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; make technical adjustments to the boundaries of several federal wilderness areas and a utility corridor on public land in Nevada; and expedite an authorized conveyance of federal land to White Pine County. In addition, 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. 2374, AS ORDERED REPORTED BY THE
HOUSE COMMITTEE ON NATURAL RESOURCES ON JULY 26, 2017

	By fiscal year, in millions of dollars—													
	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2017– 2022	2017– 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. 2374 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 2028.

Intergovernmental and private-sector impact: H.R. 2374 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would benefit local governments in Lincoln County and White Pine County in Nevada by authorizing the use of federal funds to support wildfire prevention, local law enforcement activities, and infrastructure projects. White Pine County also would benefit from a conveyance of federal land. Any costs incurred by public entities would result from voluntary commitments.

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

Estimate approved by: H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. 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 fully implement the White Pine County Conservation, Recreation, and Development Act.

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. This bill does not contain any directed rule makings.

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 economic development*, 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 domi-*

nated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or any subsequent revisions or amendments to that 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.—*The Director of the Bureau of Land Management shall enter into cooperative agreements with the County for 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 economic development*; 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 any subsequent revisions or amendments to that 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.—*The Director of the Bureau of Land Management shall enter into cooperative agreements with the County for 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).

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SECTION 323 OF THE PAM WHITE WILDERNESS ACT OF 2006

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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) **CURRENT 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 “Curret 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 January 17, 2017.*

(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 January 19, 2017.

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.

WHITE PINE COUNTY CONSERVATION, RECREATION,
AND DEVELOPMENT ACT OF 2006

TITLE III—WHITE PINE COUNTY CON-
SERVATION, RECREATION, AND DE-
VELOPMENT

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SEC. 302. SHORT TITLE

This title may be cited as the “White Pine County Conservation, Recreation, and Development Act of 2006”.

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Subtitle A—Land Disposal

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SEC. 312. DISPOSITION OF PROCEEDS

Of the proceeds from the sale of Federal land described in section 311(b)—

(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, education, public safety, housing, social services, transportation, [and planning] *municipal water and sewer infrastructure, public electric transmission facilities, public broadband infrastructure, and planning* ; and

(3) the remainder shall be deposited in a special account in the Treasury of the United States, to be known as the “White Pine County Special Account” (referred to in this subtitle as the “special account”), 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 Federal land described in section 311(b), including the costs of surveys and appraisals and compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713);

(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 reimbursement of costs incurred by the Department of the Interior for preparing and carrying out the transfers of land to be held in trust by the United States under section 361;

(D) conducting a study of routes for the Silver State Off-Highway Vehicle Trail as required by section 355(a);

(E) developing and implementing the Silver State Off-Highway Vehicle Trail management plan described in section 355(c);

(F) wilderness protection and processing wilderness designations, including the costs of appropriate fencing, signage, public education, and enforcement for the wilderness areas designated;

(G) if the Secretary determines necessary, developing and implementing conservation plans for endangered or at risk species in the County; [and]

(H) carrying out a study to assess non-motorized recreation opportunities on Federal land in the County[.]; and

(I) processing by a government entity of public land use authorizations and rights-of-way relating to the development of land conveyed to the County under this Act, with an emphasis on authorizations and rights-of-way relating to any infrastructure needed for the expansion of the White Pine County Industrial Park under section 352(c)(2).

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Subtitle D—Public Conveyances

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SEC. 352. CONVEYANCE TO WHITE PINE COUNTY, NEVADA

(a) IN GENERAL.—Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), [the Secretary] *not later than December 31, 2018, the Secretary* shall convey to the County, without consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) are—

- (1) the approximately 1,551 acres of land identified on the map entitled “Ely, Nevada Area”, dated November 29, 2006, as the Airport Expansion; and
- (2) the approximately 202 acres of land identified on the map entitled “Ely, Nevada Area”, dated November 29, 2006, as the Industrial Park Expansion.

(c) AUTHORIZED USES.—

(1) AIRPORT EXPANSION.—The parcel of land described in subsection (b)(1) shall be used by the County to expand the Ely Airport.

(2) INDUSTRIAL PARK EXPANSION.—The parcel of land described in subsection (b)(2) shall be used by the County to expand the White Pine County Industrial Park.

(3) USE OF CERTAIN LAND FOR NONRESIDENTIAL DEVELOPMENT.—

(A) IN GENERAL.—After conveyance to the County of the land described in subsection (b), the County may sell, lease, or otherwise convey any portion of the land conveyed for purposes of nonresidential development relating to the authorized uses described in paragraphs (1) and (2).

(B) METHOD OF SALE.—The sale, lease, or conveyance of land under subparagraph (A) shall be—

- (i) [through a competitive bidding process] *consistent with section 244 of the Nevada Revised Statutes (as in effect on the date of enactment of the Eastern Ne-*

vada Economic Development and Land Management Improvement Act) ; and

(ii) for not less than fair market value.

(C) DISPOSITION OF PROCEEDS.—The gross proceeds from the sale, lease, or conveyance of land under subparagraph (A) shall be distributed in accordance with section 312.

(d) REVERSION.—If a parcel of land conveyed under subsection (a) is used in a manner that is inconsistent with the use described for the parcel in paragraph (1), (2), or (3) of subsection (c), the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(e) DEADLINE.—*If the Secretary has not conveyed to the County the parcels of land described in subsection (b) by December 31, 2018, the Secretary shall immediately convey to the County, without consideration, all right, title, and interest of the United States in and to the parcels of land.*

* * * * *

