

Union Calendar No. 470

107TH CONGRESS
2^D SESSION

H. R. 5200

[Report No. 107-750]

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2002

Mr. GIBBONS introduced the following bill; which was referred to the Committee on Resources

OCTOBER 15, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on July 24, 2002]

A BILL

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Clark County Conserva-*
 3 *tion of Public Land and Natural Resources Act of 2002”.*

4 **SEC. 2. TABLE OF CONTENTS.**

5 *The table of contents of this Act is as follows:*

- Sec. 1. Short Title.*
- Sec. 2. Table of Contents.*
- Sec. 3. Definitions.*
- Sec. 4. Authorization of Appropriations.*

**TITLE I—RED ROCK CANYON NATIONAL CONSERVATION AREA LAND
EXCHANGE AND BOUNDARY ADJUSTMENT.**

- Sec. 101. Short title.*
- Sec. 102. Definitions.*
- Sec. 103. Findings and purposes.*
- Sec. 104. Red Rock Canyon land exchange.*
- Sec. 105. Status and management of lands.*
- Sec. 106. General provisions.*

TITLE II—WILDERNESS AREAS.

- Sec. 201. Findings.*
- Sec. 202. Additions to National Wilderness Preservation System.*
- Sec. 203. Administration.*
- Sec. 204. Adjacent management.*
- Sec. 205. Military overflights.*
- Sec. 206. Native American cultural and religious uses.*
- Sec. 207. Release of wilderness study areas.*
- Sec. 208. Wildlife management.*
- Sec. 209. Wildfire management.*
- Sec. 210. Climatological data collection.*
- Sec. 211. National Park Service lands.*

TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION.

- Sec. 301. Transfer of administrative jurisdiction to the United States Fish and
Wildlife Service.*
- Sec. 302. Transfer of administrative jurisdiction to National Park Service.*

**TITLE IV—AMENDMENTS TO THE SOUTHERN NEVADA PUBLIC
LAND MANAGEMENT ACT**

- Sec. 401. Disposal and exchange.*

TITLE V—IVANPAH CORRIDOR

- Sec. 501. Interstate Route 15 south corridor.*
- Sec. 502. Area of Critical Environmental Concern segregation.*

TITLE VI—SLOAN CANYON NATIONAL CONSERVATION AREA

- Sec. 601. Short title.*
Sec. 602. Purpose.
Sec. 603. Definitions.
Sec. 604. Establishment.
Sec. 605. Management.
Sec. 606. Sale of Federal parcel.
Sec. 607. Right of way.

TITLE VII—PUBLIC INTEREST CONVEYANCES

- Sec. 701. Definition of map.*
Sec. 702. Conveyance to the University of Nevada at Las Vegas Research Foundation.
Sec. 703. Conveyance to the Las Vegas Metropolitan Police Department.
Sec. 704. Conveyance to the City of Henderson for the Nevada State College at Henderson.
Sec. 705. Conveyance to the City of Las Vegas, Nevada.
Sec. 706. Sale of Federal parcel.
Sec. 707. Relocation of right of way corridor in Clark and Lincoln counties.

TITLE VIII—HUMBOLDT PROJECT CONVEYANCE

- Sec. 801. Short title.*
Sec. 802. Definitions.
Sec. 803. Authority to convey title.
Sec. 804. Payment.
Sec. 805. Compliance with other laws.
Sec. 806. Revocation of withdrawals.
Sec. 807. Liability.
Sec. 808. National Environmental Policy Act.
Sec. 809. Future benefits.

TITLE IX—MISCELLANEOUS PROVISIONS

- Sec. 901. Technical amendments to the Mesquite Lands Act 2001.*

1 SEC. 3. DEFINITIONS.

2 *In this Act:*

3 (1) AGREEMENT.—*The term “Agreement” means*
4 *the Agreement entitled “Interim Cooperative Manage-*
5 *ment Agreement Between the United States of the In-*
6 *terior Bureau of Land Management and Clark Coun-*
7 *ty”, dated November 4, 1992.*

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

1 (3) *SECRETARY.*—*The term “Secretary”*
2 *means—*

3 (A) *the Secretary of Agriculture with re-*
4 *spect to land in the National Forest System; or*

5 (B) *the Secretary of the Interior, with re-*
6 *spect to other Federal land.*

7 (4) *STATE.*—*The term “State” means the State*
8 *of Nevada.*

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

10 *There is authorized such sums as may be necessary to*
11 *carry out this Act.*

12 **TITLE I—RED ROCK CANYON NA-**
13 **TIONAL CONSERVATION AREA**
14 **LAND EXCHANGE AND**
15 **BOUNDARY ADJUSTMENT.**

16 **SEC. 101. SHORT TITLE.**

17 *This title may be cited as the “Red Rock Canyon Na-*
18 *tional Conservation Area Protection and Enhancement Act*
19 *of 2002”.*

20 **SEC. 102. DEFINITIONS.**

21 *As used in this title:*

22 (1) *CORPORATION.*—*The term “Corporation”*
23 *means the Howard Hughes Corporation, an affiliate*
24 *of the Rouse Company, with its principal place of*

1 *business at 10000 West Charleston Boulevard, Las*
2 *Vegas, Nevada.*

3 (2) *RED ROCK CANYON.*—*The term “Red Rock*
4 *Canyon” means the Red Rock Canyon National Con-*
5 *servation Area, consisting of approximately 195,780*
6 *acres of public lands in Clark County, Nevada, spe-*
7 *cially designated for protection in the Red Rock Can-*
8 *yon National Conservation Area Establishment Act of*
9 *1990 (16 U.S.C. 460ccc et seq.), as depicted on the*
10 *Red Rock Canyon Map.*

11 (3) *RED ROCK CANYON MAP.*—*The term “Red*
12 *Rock Canyon Map” means the map entitled Southern*
13 *Nevada Public Land Management Act, dated October*
14 *1, 2002.*

15 **SEC. 103. FINDINGS AND PURPOSES.**

16 (a) *FINDINGS.*—*The Congress makes the following*
17 *findings:*

18 (1) *Red Rock Canyon is a natural resource of*
19 *major significance to the people of Nevada and the*
20 *United States. It must be protected in its natural*
21 *state for the enjoyment of future generations of Nevad-*
22 *ans and Americans, and enhanced wherever possible.*

23 (2) *In 1998, the Congress enacted the Southern*
24 *Nevada Public Lands Management Act of 1998 (Pub-*
25 *lic Law 105–263), which provided among other things*

1 *for the protection and enhancement of Red Rock Can-*
2 *yon.*

3 (3) *The Corporation owns much of the private*
4 *land on Red Rock Canyon's eastern boundary, and is*
5 *engaged in developing a large-scale master-planned*
6 *community.*

7 (4) *Included in the Corporation's land holdings*
8 *are 1,071 acres of high-grounds lands at the eastern*
9 *edge of Red Rock Canyon. These lands were intended*
10 *to be included in Red Rock, but to date have not been*
11 *acquired by the United States. The protection of this*
12 *high-ground acreage would preserve an important ele-*
13 *ment of the western Las Vegas Valley viewshed.—*

14 (5) *The Corporation has volunteered to forgo de-*
15 *velopment of the high-ground lands, and proposes that*
16 *the United States acquire title to the lands so that*
17 *they can be preserved in perpetuity to protect and ex-*
18 *pand Red Rock Canyon.*

19 (b) *PURPOSES.—The purposes of this title are:*

20 (1) *To accomplish an exchange of lands between*
21 *the United States and the Corporation that would*
22 *transfer certain high-ground lands to the United*
23 *States in exchange for the transfer of other lands of*
24 *approximately equal value to the Corporation.*

1 (2) *To protect Red Rock Canyon and to expand*
2 *its boundaries as contemplated by the Bureau of*
3 *Land Management, as depicted on the Red Rock Can-*
4 *yon Map.*

5 (3) *To further fulfill the purposes of the Southern*
6 *Nevada Public Lands Management Act of 1998 and*
7 *the Red Rock Canyon National Conservation Area*
8 *Establishment Act of 1990.*

9 **SEC. 104. RED ROCK CANYON LAND EXCHANGE.**

10 (a) *ACQUISITION REQUIREMENT.—If the Corporation*
11 *offers to convey to the United States all right, title, and*
12 *interest in and to the approximately 1,082 acres of non-*
13 *Federal land owned by the Corporation and depicted on the*
14 *Red Rock Canyon Map as “Offered Lands proposed addi-*
15 *tion to the Red Rock Canyon NCA”, the Secretary shall*
16 *accept such offer on behalf of the United States, and not*
17 *later than 90 days after the date of the offer, except as other-*
18 *wise provided in this title, shall make the following convey-*
19 *ances:*

20 (1) *To the Corporation, the approximately 998*
21 *acres of Federal lands depicted on the Red Rock Can-*
22 *yon Map as “Public land selected for exchange”.*

23 (2) *To Clark County, Nevada, the approximately*
24 *1,221 acres of Federal lands depicted on the Red Rock*

1 Canyon Map as “Proposed BLM transfer for county
2 park”.

3 (b) *SIMULTANEOUS CONVEYANCES.*—Title to the pri-
4 vate property and the Federal property to be conveyed pur-
5 suant to this section shall be conveyed at the same time.

6 (c) *MAP.*—The Secretary shall keep the Red Rock Can-
7 yon Map on file and available for public inspection in the
8 Las Vegas District Office of the Bureau of Land Manage-
9 ment in Nevada, and the State Office of the Bureau of Land
10 Management, Reno, Nevada.

11 (d) *CONDITIONS.*—

12 (1) *HAZARDOUS MATERIALS.*—As a condition of
13 the conveyance under subsection (a)(1), the Secretary
14 shall require that the Corporation be responsible for
15 removal of and remediation related to any hazardous
16 materials that are present on the property conveyed
17 to the United States under subsection (a).

18 (2) *SURVEY.*—As a condition of the conveyance
19 under subsection (a)(1), the Secretary shall require
20 that not later than 90 days after the date of the offer
21 referred to in subsection (a), the Corporation shall
22 provide a metes and bounds survey, that is acceptable
23 to the Corporation, Clark County, and the Secretary,
24 of the common boundary between the parcels of land
25 to be conveyed under subsection (a).

1 (3) *LANDS CONVEYED TO CLARK COUNTY.*—As a
2 condition of the conveyance under subsection (a)(2),
3 the Secretary shall require that—

4 (A) *the lands transferred to Clark County*
5 *by the United States must be held in perpetuity*
6 *by the County for use only as a public park or*
7 *as part of a public regional trail system; and*

8 (B) *if the County attempts to transfer the*
9 *lands or to undertake a use on the lands that is*
10 *inconsistent with their preservation and use as*
11 *described in subparagraph (A), such lands shall,*
12 *at the discretion of the Secretary, revert to the*
13 *United States.*

14 (e) *VALUATION.*—

15 (1) *EQUAL VALUE EXCHANGE.*—*The values of the*
16 *Federal parcel and the non-Federal parcel, as deter-*
17 *mined under paragraph (2)—*

18 (A) *shall be equal; or*

19 (B) *if the values are not equal, shall be*
20 *equalized in accordance with paragraph (3).*

21 (2) *APPRAISAL.*—*The values of the Federal par-*
22 *cel and the non-Federal parcel shall be determined by*
23 *an appraisal, to be approved by the Secretary, that*
24 *complies with the Uniform Standards for Federal*
25 *Land Acquisitions.*

1 (3) *EQUALIZATION.*—

2 (A) *IN GENERAL.*—*If the value of the non-*
3 *Federal parcel is less than the value of the Fed-*
4 *eral parcel—*

5 (i) *the Corporation shall make a cash*
6 *equalization payment to the Secretary; or*

7 (ii) *the Secretary shall, as determined*
8 *to be appropriate by the Secretary and the*
9 *Corporation, reduce the acreage of the Fed-*
10 *eral parcel.*

11 (B) *DISPOSITION OF PROCEEDS.*—*The Sec-*
12 *retary shall deposit any cash equalization pay-*
13 *ments received under subparagraph (A)(i) in ac-*
14 *cordance with section 4(e)(2) of the Southern Ne-*
15 *vada Public Land Management Act of 1998 (112*
16 *Stat. 2345).*

17 **SEC. 105. STATUS AND MANAGEMENT OF LANDS.**

18 (a) *INCLUSION AND MANAGEMENT OF LANDS.*—*Upon*
19 *the date of the enactment of this Act, the Secretary shall*
20 *administer the lands depicted on the Red Rock Map as Pub-*
21 *lic Lands-proposed addition to the Red Rock Canyon NCA,*
22 *exclusive of those lands used for the Corps of Engineers R-*
23 *4 Detention Basin, as part of Red Rock and in accordance*
24 *with the Red Rock Canyon National Conservation Area Es-*

1 *tablishment Act of 1990 (16 U.S.C. 460ccc et seq.) and all*
2 *other applicable laws.*

3 (b) *INCLUSION OF ACQUIRED LANDS.—Upon acquisi-*
4 *tion by the United States of lands under this Act, the Sec-*
5 *retary shall—*

6 (1) *administer the lands as part of Red Rock*
7 *and in accordance with the Red Rock Canyon Na-*
8 *tional Conservation Area Establishment Act of 1990*
9 *(16 U.S.C. 460ccc et seq.), the Southern Nevada Pub-*
10 *lic Lands Management Act of 1998 (Public Law 105–*
11 *263), and all other applicable laws; and*

12 (2) *create new maps showing the boundaries of*
13 *Red Rock as modified or pursuant to this Act, and*
14 *make such maps available for review at the Las Vegas*
15 *District Office of the Bureau of Land Management*
16 *and the State Office of the Bureau of Land Manage-*
17 *ment, Reno, Nevada.*

18 (c) *CONFORMING AMENDMENT.—Section 3(a)(2) of the*
19 *Red Rock Canyon National Conservation Area Establish-*
20 *ment Act of 1990 (16 U.S.C. 460ccc–1 (a)(2)) is amended*
21 *by inserting before the period the following: “, and such ad-*
22 *ditional areas as are included in the conservation area pur-*
23 *suant to the Red Rock Canyon National Conservation Area*
24 *Protection and Enhancement Act of 2002”.*

1 **SEC. 106. GENERAL PROVISIONS.**

2 (a) *REVIEW OF APPRAISAL.*—Not later than 90 days
3 after the date of the enactment of this Act, the Secretary
4 shall complete a review of the appraisal entitled, “Complete
5 Self-Contained Appraisal Red Rock Exchange, Las Vegas,
6 Nevada”, completed on or about June 3, 2002. The dif-
7 ference in appraisal values shall be reimbursed to the Sec-
8 retary by the Corporation in accordance with the Southern
9 Nevada Public Lands Management Act of 1998.

10 (b) *VALID EXISTING RIGHTS.*—The land exchange
11 under this Act shall be subject to valid existing rights. Each
12 party to which property is conveyed under this Act shall
13 succeed to the rights and obligations of the conveying party
14 with respect to any lease, right-of-way, permit, or other
15 valid existing right to which the property is subject.

16 (c) *TECHNICAL CORRECTIONS.*—Nothing in this Act
17 prohibits the parties to the conveyances under this Act from
18 agreeing to the correction of technical errors or omissions
19 in the Red Rock Map.

20 (d) *WITHDRAWAL OF AFFECTED LANDS.*—To the ex-
21 tent not already accomplished under law or administrative
22 action, the Secretary shall withdraw from operation of the
23 public land and mining laws, subject to valid existing
24 rights—

25 (1) those Federal lands acquired by the United
26 States under this Act; and

1 (2) *those Federal lands already owned by the*
2 *United States on the date of enactment of this Act but*
3 *included within the Red Rock National Conservation*
4 *Area boundaries by this Act.*

5 ***TITLE II—WILDERNESS AREAS.***

6 ***SEC. 201. FINDINGS.***

7 *The Congress finds that—*

8 (1) *public land in the County contains unique*
9 *and spectacular natural resources, including—*

10 (A) *priceless habitat for numerous species of*
11 *plants and wildlife; and*

12 (B) *thousands of acres of pristine land that*
13 *remain in a natural state;*

14 (2) *continued preservation of those areas would*
15 *benefit the County and all of the United States by—*

16 (A) *ensuring the conservation of ecologically*
17 *diverse habitat;*

18 (B) *conserving primitive recreational re-*
19 *sources; and*

20 (C) *protecting air and water quality.*

21 ***SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESER-***
22 ***VATION SYSTEM.***

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

1 (1) *ARROW CANYON WILDERNESS.*—*Certain Fed-*
2 *eral land managed by the Bureau of Land Manage-*
3 *ment, comprising approximately 27,503 acres, as gen-*
4 *erally depicted on the map entitled “Arrow Canyon”,*
5 *dated October 1, 2002, which shall be known as the*
6 *“Arrow Canyon Wilderness”.*

7 (2) *BLACK CANYON WILDERNESS.*—*Certain Fed-*
8 *eral land within the Lake Mead National Recreation*
9 *Area and an adjacent portion of Federal land man-*
10 *aged by the Bureau of Land Management, comprising*
11 *approximately 17,220 acres, as generally depicted on*
12 *the map entitled “Eldorado/Spirit Mountain”, dated*
13 *October 1, 2002, which shall be known as the Black*
14 *Canyon Wilderness .*

15 (3) *BRIDGE CANYON WILDERNESS.*—*Certain Fed-*
16 *eral land within the Lake Mead National Recreation*
17 *Area, comprising approximately 7,761 acres, as gen-*
18 *erally depicted on the map entitled “Eldorado/Spirit*
19 *Mountain”, dated October 1, 2002, which shall be*
20 *known as “the Bridge Canyon Wilderness”.*

21 (4) *ELDORADO WILDERNESS.*—*Certain Federal*
22 *land within the Lake Mead National Recreation Area*
23 *and an adjacent portion of Federal land managed by*
24 *the Bureau of Land Management, comprising ap-*
25 *proximately 31,950 acres, as generally depicted on the*

1 map entitled “Eldorado/Spirit Mountain”, dated Oc-
2 tober 1, 2002, which shall be known as the “Eldorado
3 Wilderness”.

4 (5) *IRETEBA PEAKS WILDERNESS.*—Certain Fed-
5 eral land within the Lake Mead National Recreation
6 Area and an adjacent portion of Federal land man-
7 aged by the Bureau of Land Management, comprising
8 approximately 32,745 acres, as generally depicted on
9 the map entitled “Eldorado/Spirit Mountain”, dated
10 October 1, 2002, which shall be known as the “Ireteba
11 Peaks Wilderness”.

12 (6) *JIMBILNAN WILDERNESS.*—Certain Federal
13 land within the Lake Mead National Recreation Area,
14 comprising approximately 18,879 acres, as generally
15 depicted on the map entitled “Muddy Mountains”,
16 dated October 1, 2002, which shall be known as the
17 “Jimbilnan Wilderness”.

18 (7) *JUMBO SPRINGS WILDERNESS.*—Certain Fed-
19 eral land managed by the Bureau of Land Manage-
20 ment, comprising approximately 4,631 acres, as gen-
21 erally depicted on the map entitled “Gold Butte”,
22 dated October 1, 2002, which shall be known as the
23 “Jumbo Springs Wilderness”.

24 (8) *LA MADRE MOUNTAIN WILDERNESS.*—Certain
25 Federal land within the Toiyabe National Forest and

1 *an adjacent portion of Federal land managed by the*
2 *Bureau of Land Management, comprising approxi-*
3 *mately 47,180 acres, as generally depicted on the map*
4 *entitled “Spring Mountains”, dated October 1, 2002,*
5 *which shall be known as the “La Madre Mountain*
6 *Wilderness”.*

7 (9) *LIME CANYON WILDERNESS.—Certain Fed-*
8 *eral land managed by the Bureau of Land Manage-*
9 *ment, comprising approximately 23,233 acres, as gen-*
10 *erally depicted on the map entitled “Gold Butte”,*
11 *dated October 1, 2002, which shall be known as the*
12 *“Lime Canyon Wilderness”.*

13 (10) *MT. CHARLESTON WILDERNESS ADDI-*
14 *TIONS.—Certain Federal land within the Toiyabe Na-*
15 *tional Forest and an adjacent portion of Federal land*
16 *managed by the Bureau of Land Management, com-*
17 *prising approximately 13,598 acres, as generally de-*
18 *scribed on the map entitled Spring Mountains, dated*
19 *October 1, 2002, which shall be included in the Mt.*
20 *Charleston Wilderness.*

21 (11) *MUDDY MOUNTAINS WILDERNESS.—Certain*
22 *Federal land within the Lake Mead National Recre-*
23 *ation Area and an adjacent portion of land managed*
24 *by the Bureau of Land Management, comprising ap-*
25 *proximately 48,019 acres, as generally depicted on the*

1 *map entitled Muddy Mountains, dated October 1,*
2 *2002, which shall be known as the Muddy Mountains*
3 *Wilderness.*

4 (12) *NELLIS WASH WILDERNESS.*—*Certain Fed-*
5 *eral land within the Lake Mead National Recreation*
6 *Area, comprising approximately 16,423 acres, as gen-*
7 *erally depicted on the map entitled Eldorado/Spirit*
8 *Mountain, dated October 1, 2002, which shall be*
9 *known as the Nellis Wash Wilderness.*

10 (13) *NORTH MCCULLOUGH WILDERNESS.*—*Cer-*
11 *tain Federal land managed by the Bureau of Land*
12 *Management, comprising approximately 14,763 acres,*
13 *as generally depicted on the map entitled*
14 *McCulloughs, dated October 1, 2002, which shall be*
15 *known as the North McCullough Wilderness.*

16 (14) *PINTO VALLEY WILDERNESS.*—*Certain Fed-*
17 *eral land within the Lake Mead National Recreation*
18 *Area, comprising approximately 39,173 acres, as gen-*
19 *erally depicted on the map entitled Muddy Moun-*
20 *tains, dated October 1, 2002, which shall be known as*
21 *the Pinto Valley Wilderness.*

22 (15) *RAINBOW MOUNTAIN WILDERNESS.*—*Certain*
23 *Federal land within the Toiyabe National Forest and*
24 *an adjacent portion of Federal land managed by the*
25 *Bureau of Land Management, comprising approxi-*

1 *mately 24,997 acres, as generally depicted on the map*
2 *entitled Spring Mountains, dated October 1, 2002,*
3 *which shall be known as the Rainbow Mountain Wil-*
4 *derness.*

5 (16) *SOUTH MCCULLOUGH WILDERNESS.—Certain*
6 *Federal land managed by the Bureau of Land*
7 *Management, comprising approximately 44,245 acres,*
8 *as generally depicted on the map entitled*
9 *McCulloughs, dated October 1, 2002, which shall be*
10 *known as the South McCullough Wilderness.*

11 (17) *SPIRIT MOUNTAIN WILDERNESS.—Certain*
12 *Federal land within the Lake Mead National Recre-*
13 *ation Area and an adjacent portion of Federal land*
14 *managed by the Bureau of Land Management, com-*
15 *prising approximately 33,518 acres, as generally de-*
16 *scribed on the map entitled Eldorado/Spirit Mountain,*
17 *dated October 1, 2002, which shall be known as the*
18 *Spirit Mountain Wilderness.*

19 (18) *WEE THUMP JOSHUA TREE WILDERNESS.—*
20 *Certain Federal land managed by the Bureau of*
21 *Land Management, comprising approximately 6,050*
22 *acres, as generally depicted on the map entitled*
23 *McCulloughs, dated October 1, 2002, which shall be*
24 *known as the Wee Thump Joshua Tree Wilderness.*

25 (b) *BOUNDARY.—*

1 (1) *LAKE OFFSET.*—*The boundary of any por-*
2 *tion of a wilderness area designated by subsection (a)*
3 *that is bordered by Lake Mead, Lake Mohave, or the*
4 *Colorado River shall be 300 feet inland from the high*
5 *water line.*

6 (2) *ROAD OFFSET.*—*The boundary of any por-*
7 *tion of a wilderness area designated by subsection (a)*
8 *that is bordered by a road shall be at least 100 feet*
9 *from the edge of the road to allow public access.*

10 (c) *MAP AND LEGAL DESCRIPTION.*—

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

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

23 (3) *AVAILABILITY.*—*Each map and legal descrip-*
24 *tion shall be on file and available for public inspec-*
25 *tion in the appropriate offices of the Bureau of Land*

1 *Management, National Park Service, or Forest Serv-*
2 *ice, as applicable.*

3 (d) *WITHDRAWAL.*—*Subject to valid existing rights,*
4 *the wilderness areas designated in this section are with-*
5 *drawn from—*

6 (1) *all forms of entry, appropriation, and dis-*
7 *posal under the public land laws;*

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

10 (3) *operation of the mineral leasing, mineral*
11 *materials, and geothermal leasing laws.*

12 **SEC. 203. ADMINISTRATION.**

13 (a) *MANAGEMENT.*—*Subject to valid existing rights,*
14 *each area designated as wilderness by this title shall be ad-*
15 *ministered by the Secretary in accordance with the Wilder-*
16 *ness Act (16 U.S.C. 1131 et seq.), except that—*

17 (1) *any reference in that Act to the effective date*
18 *shall be considered to be a reference to the date of en-*
19 *actment of this Act; and*

20 (2) *any reference in that Act to the Secretary of*
21 *Agriculture shall be considered to be a reference to the*
22 *Secretary of the Interior with respect to lands admin-*
23 *istered by the Secretary of the Interior.*

24 (b) *LIVESTOCK.*—*Within the wilderness areas des-*
25 *ignated under this title that are administered by the Bu-*

1 *reau of Land Management, the grazing of livestock in areas*
2 *in which grazing is established as of the date of enactment*
3 *of this Act shall be allowed to continue, subject to such rea-*
4 *sonable regulations, policies, and practices that the Sec-*
5 *retary considers necessary, consistent with section 4(d)(4)*
6 *of the Wilderness Act (16 U.S.C. 1133(d)(4)), including the*
7 *guidelines set forth in Appendix A of House Report 101-*
8 *405.*

9 *(c) INCORPORATION OF ACQUIRED LANDS AND INTER-*
10 *ESTS.—Any land or interest in land within the boundaries*
11 *of an area designated as wilderness by this title that is ac-*
12 *quired by the United States after the date of enactment of*
13 *this Act shall be added to and administered as part of the*
14 *wilderness area within which the acquired land or interest*
15 *is located.*

16 *(d) WATER RIGHTS.—*

17 *(1) FINDINGS.—Congress finds that—*

18 *(A) the lands designated as Wilderness by*
19 *this Act are within the Mojave Desert, are arid*
20 *in nature, and include ephemeral streams;*

21 *(B) the hydrology of the lands designated as*
22 *wilderness by this Act is locally characterized by*
23 *complex flow patterns and alluvial fans with im-*
24 *permanent channels;*

1 (C) the subsurface hydrogeology of the re-
2 gion is characterized by ground water subject to
3 local and regional flow gradients and artesian
4 aquifers;

5 (D) the lands designated as wilderness by
6 this Act are generally not suitable for use or de-
7 velopment of new water resource facilities and
8 there are no actual or proposed water resource
9 facilities and no opportunities for diversion,
10 storage, or other uses of water occurring outside
11 such lands that would adversely affect the wilder-
12 ness or other values of such lands; and

13 (E) because of the unique nature and hy-
14 drology of these desert lands designated as wil-
15 derness by this Act and the existence of the Clark
16 County Multi-Species Habitat Conservation
17 Plan it is possible to provide for proper manage-
18 ment and protection of the wilderness, perennial
19 springs and other values of such lands in ways
20 different from those utilized in other legislation.

21 (2) STATUTORY CONSTRUCTION.—

22 (A) Nothing in this Act shall constitute or
23 be construed to constitute either an express or
24 implied reservation by the United States of any

1 *water or water rights with respect to the lands*
2 *designated as Wilderness by this Act.*

3 *(B) Nothing in this Act shall affect any*
4 *water rights in the State of Nevada existing on*
5 *the date of the enactment of this Act, including*
6 *any water rights held by the United States.*

7 *(C) Nothing in this subsection shall be con-*
8 *strued as establishing a precedent with regard to*
9 *any future wilderness designations.*

10 *(D) Nothing in this Act shall be construed*
11 *as limiting, altering, modifying, or amending*
12 *any of the interstate compacts or equitable ap-*
13 *portionment decrees that apportion water among*
14 *and between the State of Nevada and other*
15 *States.*

16 *(E) Nothing in this subsection shall be con-*
17 *strued as limiting, altering, modifying, or*
18 *amending the Clark County Multi-Species Habi-*
19 *tat Conservation Plan (MSHCP) with respect to*
20 *the lands designated as Wilderness by this Act*
21 *including the MSHCP's specific management ac-*
22 *tions for the conservation of perennial springs.*

23 *(3) NEVADA WATER LAW.—The Secretary shall*
24 *follow the procedural and substantive requirements of*
25 *the law of the State of Nevada in order to obtain and*

1 *hold any water rights not in existence on the date of*
2 *enactment of this Act with respect to the wilderness*
3 *areas designated by this Act.*

4 (4) *NEW PROJECTS.*—

5 (A) *As used in this paragraph, the term*
6 *water resource facility means irrigation and*
7 *pumping facilities, reservoirs, water conservation*
8 *works, aqueducts, canals, ditches, pipelines,*
9 *wells, hydropower projects, and transmission and*
10 *other ancillary facilities, and other water diver-*
11 *sion, storage, and carriage structures. The term*
12 *water resource facility does not include wildlife*
13 *guzzlers.*

14 (B) *Except as otherwise provided in this*
15 *Act, on and after the date of the enactment of*
16 *this Act, neither the President nor any other offi-*
17 *cer, employee, or agent of the United States shall*
18 *fund, assist, authorize, or issue a license or per-*
19 *mit for the development of any new water re-*
20 *source facility within the wilderness areas des-*
21 *ignated by this Act.*

22 **SEC. 204. ADJACENT MANAGEMENT.**

23 (a) *IN GENERAL.*—*Congress does not intend for the*
24 *designation of wilderness in the State pursuant to this title*

1 *to lead to the creation of protective perimeters or buffer*
2 *zones around any such wilderness area.*

3 (b) *NONWILDERNESS ACTIVITIES.*—*The fact that non-*
4 *wilderness activities or uses can be seen or heard from areas*
5 *within a wilderness designated under this title shall not*
6 *preclude the conduct of those activities or uses outside the*
7 *boundary of the wilderness area.*

8 **SEC. 205. MILITARY OVERFLIGHTS.**

9 *Nothing in this title restricts or precludes—*

10 (1) *low-level overflights of military aircraft over*
11 *the areas designated as wilderness by this title, in-*
12 *cluding military overflights that can be seen or heard*
13 *within the wilderness areas;*

14 (2) *flight testing and evaluation; or*

15 (3) *the designation or creation of new units of*
16 *special use airspace, or the establishment of military*
17 *flight training routes, over the wilderness areas.*

18 **SEC. 206. NATIVE AMERICAN CULTURAL AND RELIGIOUS**

19 **USES.**

20 *Nothing in this Act shall be construed to diminish the*
21 *rights of any Indian Tribe. Nothing in this Act shall be*
22 *construed to diminish tribal rights regarding access to Fed-*
23 *eral lands for tribal activities, including spiritual, cultural,*
24 *and traditional food-gathering activities.*

1 **SEC. 207. RELEASE OF WILDERNESS STUDY AREAS.**

2 (a) *FINDING.*—Congress finds that, for the purposes of
3 section 603 of the Federal Land Policy and Management
4 Act of 1976 (43 U.S.C. 1782), the public land in the County
5 administered by the Bureau of Land Management and the
6 Forest Service in the following areas have been adequately
7 studied for wilderness designation:

8 (1) *The Garrett Buttes Wilderness Study Area.*

9 (2) *The Quail Springs Wilderness Study Area.*

10 (3) *The Nellis A, B, C Wilderness Study Area.*

11 (4) *Any portion of the wilderness study areas—*

12 (A) *not designated as wilderness by section*
13 *202(a); and*

14 (B) *designated for release on—*

15 (i) *the map entitled Muddy Mountains*
16 *and dated October 1, 2002;*

17 (ii) *the map entitled Spring Moun-*
18 *tains and dated October 1, 2002;*

19 (iii) *the map entitled Arrow Canyon*
20 *and dated October 1, 2002;*

21 (iv) *the map entitled Gold Butte and*
22 *dated October 1, 2002;*

23 (v) *the map entitled McCullough*
24 *Mountains and dated October 1, 2002;*

25 (vi) *the map entitled El Dorado/Spirit*
26 *Mountain and dated October 1, 2002; or*

1 (vii) the map entitled *Southern Nevada*
2 *Public Land Management Act* and dated
3 *October 1, 2002.*

4 (b) *RELEASE.—Except as provided in subsection (c),*
5 *any public land described in subsection (a) that is not des-*
6 *ignated as wilderness by this title—*

7 (1) *is no longer subject to section 603(c) of the*
8 *Federal Land Policy and Management Act of 1976*
9 *(43 U.S.C. 1782(c)); and*

10 (2) *shall be managed in accordance with—*

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

13 (B) *existing cooperative conservation agree-*
14 *ments.*

15 (c) *RIGHT OF WAY GRANT.—The Secretary shall issue*
16 *to the State-regulated sponsor of the Centennial Project the*
17 *right-of-way for the construction and maintenance of two*
18 *500-kilovolt electrical transmission lines. The construction*
19 *shall occur within a 500-foot-wide corridor that is released*
20 *from the Sunrise Mountains Instant Study Area in the*
21 *County as depicted on the Southern Nevada Public Land*
22 *Management Act map, dated October 1, 2002.*

23 **SEC. 208. WILDLIFE MANAGEMENT.**

24 (a) *IN GENERAL.—In accordance with section 4(d)(7)*
25 *of the Wilderness Act (16 U.S.C. 1133(d)(7), nothing in this*

1 *title affects or diminishes the jurisdiction of the State with*
2 *respect to fish and wildlife management, including the regu-*
3 *lation of hunting and fishing, in the wilderness areas des-*
4 *ignated by this title.*

5 **(b) MANAGEMENT ACTIVITIES.**—*In furtherance of the*
6 *purposes and principles of the Wilderness Act, management*
7 *activities to maintain or restore fish and wildlife popu-*
8 *lations and the habitats to support such populations may*
9 *be carried out within wilderness areas designated by this*
10 *title where consistent with relevant wilderness management*
11 *plans, in accordance with appropriate policies such as those*
12 *set forth in Appendix B of House Report 101–405, includ-*
13 *ing the occasional and temporary use of motorized vehicles,*
14 *if such use, as determined by the Secretary, would promote*
15 *healthy, viable, and more naturally distributed wildlife*
16 *populations that would enhance wilderness values and ac-*
17 *complish those purposes with the minimum impact nec-*
18 *essary to reasonably accomplish the task.*

19 **(c) EXISTING ACTIVITIES.**—*Consistent with section*
20 *4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)), the State*
21 *or its designee may continue to use aircraft (including heli-*
22 *copters) to transport water to wildlife water developments,*
23 *including guzzlers, and to survey, capture, transplant and*
24 *monitor wildlife populations, including bighorn sheep, and*
25 *feral stock, horses, and burros.*

1 (d) *WILDLIFE WATER DEVELOPMENT PROJECTS.*—
2 *The Secretary shall, subject to subsection (f) authorize exist-*
3 *ing structures and facilities for wildlife water development*
4 *projects, including guzzlers, in the wilderness areas des-*
5 *ignated by this title if—*

6 (1) *the structures and facilities will, as deter-*
7 *mined by the Secretary, enhance wilderness values by*
8 *promoting healthy, viable and more naturally distrib-*
9 *uted wildlife populations; and*

10 (2) *the visual impacts of the structures and fa-*
11 *cilities on the wilderness areas can reasonably be*
12 *minimized.*

13 (e) *HUNTING, FISHING, AND TRAPPING.*—*The Sec-*
14 *retary may designate by regulation areas in consultation*
15 *with the appropriate State agency (except in emergencies),*
16 *in which, and establish periods during which, for reasons*
17 *of public safety, administration, or compliance with appli-*
18 *cable laws, no hunting, fishing, or trapping will be per-*
19 *mitted in the wilderness areas designated by this title.*

20 (f) *COOPERATIVE AGREEMENT.*—*No later than one*
21 *year after the date of enactment of this Act, the Secretary*
22 *shall enter into a cooperative agreement with the State of*
23 *Nevada. The cooperative agreement shall specify the terms*
24 *and conditions under which the State (including a designee*

1 *of the State) may utilize wildlife management activities in*
2 *the wilderness areas designated by this title.*

3 **SEC. 209. WILDFIRE MANAGEMENT.**

4 *Consistent with section 4 of the Wilderness Act (16*
5 *U.S.C. 1133), nothing in this title precludes a Federal,*
6 *State, or local agency from conducting wildfire manage-*
7 *ment operations (including operations using aircraft or*
8 *mechanized equipment) to manage wildfires in the wilder-*
9 *ness areas designated by this title.*

10 **SEC. 210. CLIMATOLOGICAL DATA COLLECTION.**

11 *Subject to such terms and conditions as the Secretary*
12 *may prescribe, nothing in this title precludes the installa-*
13 *tion and maintenance of hydrologic, meteorologic, or cli-*
14 *matological collection devices in the wilderness areas des-*
15 *ignated by this title if the facilities and access to the facili-*
16 *ties are essential to flood warning, flood control, and water*
17 *reservoir operation activities.*

18 **SEC. 211. NATIONAL PARK SERVICE LANDS.**

19 *To the extent any of the provisions of this title are*
20 *in conflict with laws, regulations, or management policies*
21 *applicable to the National Park Service for Lake Mead Na-*
22 *tional Recreation Area, those laws, regulations, or policies*
23 *shall control.*

1 **TITLE III—TRANSFERS OF AD-**
2 **MINISTRATIVE JURISDIC-**
3 **TION.**

4 **SEC. 301. TRANSFER OF ADMINISTRATIVE JURISDICTION**
5 **TO THE U.S. FISH AND WILDLIFE SERVICE.**

6 (a) *IN GENERAL.*—Administrative jurisdiction over
7 the land described in subsection (b) is transferred from the
8 Bureau of Land Management to the United States Fish and
9 Wildlife Service for inclusion in the Desert National Wild-
10 life Range.

11 (b) *DESCRIPTION OF LAND.*—The parcel of land re-
12 ferred to in subsection (a) is the approximately 26,433 acres
13 of land administered by the Bureau of Land Management
14 as generally depicted on the map entitled Arrow Canyon
15 and dated October 1, 2002.

16 (c) *WILDERNESS RELEASE.*—

17 (1) Congress finds that the parcel of land de-
18 scribed in subsection (b) has been adequately studied
19 for wilderness designation for the purposes of section
20 603(c) of the Federal Land Policy and Management
21 Act of 1976 (43 U.S.C. 1782(c)).

22 (2) The parcel of land described in subsection
23 (b)—

1 (A) shall not be subject to section 603(c) of
2 the Federal Land Policy and Management Act of
3 1976 (43 U.S.C. 1782(c)); and

4 (B) shall be managed in accordance with

5 (i) the National Wildlife Refuge Sys-
6 tem Administration Act, as amended by the
7 National Wildlife Refuge System Improve-
8 ment Act of 1997 (16 U.S. C. 668dd–668ee);
9 and

10 (ii) existing cooperative conservation
11 agreements.

12 **SEC. 302. TRANSFER OF ADMINISTRATIVE JURISDICTION**
13 **TO NATIONAL PARK SERVICE.**

14 (a) *IN GENERAL.*—Administrative jurisdiction over
15 the parcel of land described in subsection (b) is transferred
16 from the Bureau of Land Management to the National Park
17 Service for inclusion in the Lake Mead National Recreation
18 Area.

19 (b) *DESCRIPTION OF LAND.*—The parcel of land re-
20 ferred to in subsection (a) is the approximately 10 acres
21 of Bureau of Land Management land, as depicted on the
22 map entitled *Eldorado/Spirit Mountain* and dated October
23 1, 2002.

1 (c) *USE OF LAND.*—*The parcel of land described in*
2 *subsection (b) shall be used by the National Park Service*
3 *for administrative facilities.*

4 ***TITLE IV—AMENDMENTS TO THE***
5 ***SOUTHERN NEVADA PUBLIC***
6 ***LAND MANAGEMENT ACT***

7 ***SEC. 401. DISPOSAL AND EXCHANGE.***

8 (a) *IN GENERAL.*—*Section 4 of the Southern Nevada*
9 *Public Land Management Act of 1998 (112 Stat. 2344) is*
10 *amended—*

11 (1) *in the first sentence of subsection (a), by*
12 *striking “entitled Las Vegas Valley, Nevada, Land*
13 *Disposal Map”, dated April 10, 1997 and inserting*
14 *“entitled Southern Nevada Public Land Management*
15 *Act”, dated October 1, 2002; and*

16 (2) *in subsection (e)(3)(A)—*

17 (A) *in clause (iv)—*

18 (i) *by inserting “or regional govern-*
19 *mental entity” after “local government”;*
20 *and*

21 (ii) *by striking “and” at the end;*

22 (B) *by redesignating clause (v) as clause*
23 *(vi); and*

24 (C) *by inserting after clause (iv) the fol-*
25 *lowing:*

1 “(v) up to 10 percent of amounts
2 available, to be used for conservation initia-
3 tives on Federal land in Clark County, Ne-
4 vada, administered by the Department of
5 the Interior or the Department of Agri-
6 culture; and”.

7 (b) *EFFECTIVE DATE.*—The amendments made by sub-
8 section (a) take effect on January 31, 2003.

9 (c) *WITHDRAWAL.*—Subject to valid existing rights,
10 the land designated for disposal in this section is with-
11 drawn from—

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

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

16 (3) operation of the mineral leasing, mineral
17 materials, and geothermal leasing laws.

18 **TITLE V—IVANPAH CORRIDOR**

19 **SEC. 501. INTERSTATE ROUTE 15 SOUTH CORRIDOR.**

20 (a) *MANAGEMENT OF INTERSTATE ROUTE 15 COR-*
21 *RIDOR LAND.*—

22 (1) *IN GENERAL.*—The Secretary shall manage
23 the land located along the Interstate Route 15 cor-
24 ridor south of the Las Vegas Valley to the border be-
25 tween the States of California and Nevada, generally

1 *depicted as Interstate 15 South Corridor on the map*
2 *entitled Clark County Conservation of Public Land*
3 *and Natural Resources Act of 2002 and dated October*
4 *1, 2002, in accordance with the Southern Nevada*
5 *Public Land Management Act of 1998 (112 Stat.*
6 *2343) and this section.*

7 (2) *AVAILABILITY OF MAP.—The map described*
8 *in paragraph (1) shall be on file and available for*
9 *public inspection in the appropriate offices of the Bu-*
10 *reau of Land Management.*

11 (3) *MULTIPLE USE MANAGEMENT.—Subject to*
12 *any land management designations under the 1998*
13 *Las Vegas District Resource Management Plan or the*
14 *Clark County Multi-Species Conservation Plan, land*
15 *depicted on the map described in paragraph (1) shall*
16 *be managed for multiple use purposes.*

17 (4) *TERMINATION OF ADMINISTRATIVE WITH-*
18 *DRAWAL.—The administrative withdrawal of the land*
19 *identified as the Interstate 15 South Corridor on the*
20 *map entitled Clark County Conservation of Public*
21 *Land and Natural Resources Act of 2002 and dated*
22 *October 1, 2002, from mineral entry dated July 23,*
23 *1997, and as amended March 9, 1998, as further*
24 *amended July 2, 2002, is terminated.*

1 (5) *WITHDRAWAL OF LAND.*—*Subject to valid ex-*
2 *isting rights, the corridor described in subsection (b)*
3 *and the land described in subsection (c)(1) are with-*
4 *drawn from location and entry under the mining*
5 *laws, and from operation under the mineral leasing*
6 *and geothermal leasing laws, until such time as—*

7 (A) *the Secretary terminates the with-*
8 *drawal; or*

9 (B) *the corridor or land, respectively, is*
10 *patented.*

11 (b) *TRANSPORTATION AND UTILITIES CORRIDOR.*—
12 *Notwithstanding sections 202 and 203 of the Federal Land*
13 *Policy and Management Act of 1976 (43 U.S.C. 1712,*
14 *1713), the Secretary, in consultation with the City of Hen-*
15 *derson and the County, and in accordance with this section*
16 *and other applicable laws and subject to valid existing*
17 *rights, shall establish a 2,640-foot-wide corridor between the*
18 *Las Vegas valley and the proposed Ivanpah Airport for the*
19 *placement, on a nonexclusive basis, of utilities and trans-*
20 *portation.*

21 (c) *IVANPAH AIRPORT ENVIRONS OVERLAY DISTRICT*
22 *LAND TRANSFER.*—

23 (1) *IN GENERAL.*—*Subject to paragraph (2) and*
24 *valid existing rights, on request by the County, the*
25 *Secretary shall transfer to the County, without con-*

1 *sideration, all right, title, and interest of the United*
2 *States in and to the land identified as Ivanpah Air-*
3 *port noise compatibility area on the map entitled*
4 *Clark County Conservation of Public Land and Nat-*
5 *ural Resources Act of 2002 and dated October 1,*
6 *2002.*

7 (2) *CONDITIONS FOR TRANSFER.—As a condition*
8 *of the transfer under paragraph (1), the County shall*
9 *agree—*

10 (A) *to manage the transferred land in ac-*
11 *cordance with section 47504 of title 49, United*
12 *States Code (including regulations promulgated*
13 *under that section); and*

14 (B) *that if any portion of the transferred*
15 *land is sold, leased, or otherwise conveyed or*
16 *leased by the County*

17 (i) *the sale, lease, or other conveyance*
18 *shall be—*

19 (I) *subject to a limitation that re-*
20 *quires that any use of the transferred*
21 *land be consistent with the Agreement*
22 *and section 47504 of title 49, United*
23 *States Code (including regulations pro-*
24 *mulgated under that section); and*

25 (II) *for fair market value; and*

1 (ii) of any gross proceeds received by
2 the County from the sale, lease, or other
3 conveyance of the land, the County shall—

4 (I) contribute 85 percent to the
5 special account established by section
6 4(e)(1)(C) of the Southern Nevada
7 Public Land Management Act of 1998
8 (112 Stat. 2345);

9 (II) contribute 5 percent to the
10 State for use in the general education
11 program of the State; and

12 (III) reserve 10 percent for use by
13 the Clark County Department of Avia-
14 tion for airport development and noise
15 compatibility programs.

16 (d) *EFFECTIVE DATE.*—Subsections (b) and (c) shall
17 not take effect until construction of the Ivanpah Valley Air-
18 port is approved in accordance with Public Law 106–362.

19 **SEC. 502. AREA OF CRITICAL ENVIRONMENTAL CONCERN**
20 **SEGREGATION.**

21 (a) *TEMPORARY WITHDRAWAL.*—Subject to valid ex-
22 isting rights, any Federal land in an Area of Critical Envi-
23 ronmental Concern that is designated for withdrawal under
24 the 1998 Las Vegas Resource Management Plan, and which
25 is not already withdrawn by the effect of this or any other

1 *Act, is hereby withdrawn from location, entry, and patent*
2 *under the mining laws for a period not to exceed five years.*

3 *The withdrawal shall lapse at the earlier—*

4 *(1) five years; or*

5 *(2) when the Secretary issues a final decision on*
6 *each proposed withdrawal.*

7 *(b) ADMINISTRATIVE WITHDRAWAL.—The Secretary*
8 *shall make final decisions on each of the temporary with-*
9 *drawals described in subsection (a) within five years of the*
10 *date of enactment of this Act. Such decisions shall be made*
11 *consistent with the Federal Land Policy and Management*
12 *Act (43 U.S.C. 1714), and in accordance with the 1998 Las*
13 *Vegas Resource Management Plan.*

14 *(c) MINERAL REPORT.—The mineral reports required*
15 *by section 204(c)(12) of the Federal Land Policy and Man-*
16 *agement Act shall be the responsibility of the U.S. Geologi-*
17 *cal Survey and shall be completed for each of the temporary*
18 *withdrawals described in subsection (a) within four years*
19 *of the date of enactment of this Act.*

20 **TITLE VI—SLOAN CANYON**
21 **NATIONAL CONSERVATION AREA**

22 **SEC. 601. SHORT TITLE.**

23 *This title may be cited as the “Sloan Canyon National*
24 *Conservation Area Act”.*

1 **SEC. 602. PURPOSE.**

2 *The purpose of this title is to establish the Sloan Can-*
3 *yon National Conservation Area to conserve, protect, and*
4 *enhance for the benefit and enjoyment of present and future*
5 *generations the cultural, archaeological, natural, wilder-*
6 *ness, scientific, geological, historical, biological, wildlife,*
7 *educational, and scenic resources of the Conservation Area.*

8 **SEC. 603. DEFINITIONS.**

9 *In this title:*

10 (1) *CONSERVATION AREA.*—*The term “Conserva-*
11 *tion Area” means the Sloan Canyon National Con-*
12 *servation Area established by section 604(a).*

13 (2) *FEDERAL PARCEL.*—*The term “Federal par-*
14 *cel” means the parcel of Federal land consisting of*
15 *approximately 500 acres that is identified as Tract A*
16 *on the map entitled Southern Nevada Public Land*
17 *Management Act and dated October 1, 2002.*

18 (3) *MANAGEMENT PLAN.*—*The term “manage-*
19 *ment plan” means the management plan for the Con-*
20 *servation Area developed under section 605(b).*

21 (4) *MAP.*—*The term “map” means the map enti-*
22 *tled Southern Nevada Public Land Management Act*
23 *and dated October 1, 2002.*

24 **SEC. 604. ESTABLISHMENT.**

25 (a) *IN GENERAL.*—*For the purpose described in sec-*
26 *tion 602, there is established in the State a conservation*

1 *area to be known as the Sloan Canyon National Conserva-*
2 *tion Area.*

3 (b) *AREA INCLUDED.*—*The Conservation Area shall*
4 *consist of approximately 48,438 acres of public land in the*
5 *County, as generally depicted on the map.*

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 shall*
9 *submit to Congress a map and legal description of the*
10 *Conservation Area.*

11 (2) *EFFECT.*—*The map and legal description*
12 *shall have the same force and effect as if included in*
13 *this section, except that the Secretary may correct*
14 *minor errors in the map or legal description.*

15 (3) *PUBLIC AVAILABILITY.*—*A copy of the map*
16 *and legal description shall be on file and available for*
17 *public inspection in the appropriate office of the Bu-*
18 *reau of Land Management*

19 **SEC. 605. MANAGEMENT.**

20 (a) *IN GENERAL.*—*The Secretary, acting through the*
21 *Director of the Bureau of Land Management, shall manage*
22 *the Conservation Area—*

23 (1) *in a manner that conserves, protects, and en-*
24 *hances the resources of the Conservation Area; and*

25 (2) *in accordance with—*

1 (A) *the Federal Land Policy and Manage-*
2 *ment Act of 1976 (43 U.S.C. 1701 et seq.); and*

3 (B) *other applicable law, including this Act.*

4 (b) *MANAGEMENT PLAN.—*

5 (1) *IN GENERAL.—Not later than 3 years after*
6 *the date of enactment of this Act, the Secretary, in*
7 *consultation with the State, the city of Henderson, the*
8 *County, and any other interested persons, shall de-*
9 *velop a management plan for the Conservation Area.*

10 (2) *REQUIREMENTS.—The management plan*
11 *shall—*

12 (A) *describe the appropriate uses and man-*
13 *agement of the Conservation Area;*

14 (B)(i) *authorize the use of motorized vehi-*
15 *cles in the Conservation Area—*

16 (I) *for installing, repairing, maintain-*
17 *ing, and reconstructing water development*
18 *projects, including guzzlers, that would en-*
19 *hance the Conservation Area by promoting*
20 *healthy, viable, and more naturally distrib-*
21 *uted wildlife populations; and*

22 (II) *subject to any limitations that are*
23 *not more restrictive than the limitations on*
24 *such uses authorized in wilderness areas*
25 *under section 208; and*

1 (ii) include or provide recommendations on
2 ways of minimizing the visual impacts of such
3 activities on the Conservation Area;

4 (C) include a plan for litter cleanup and
5 public lands awareness campaign on public
6 lands in and around the Conservation Area;

7 (D) include a recommendation on the loca-
8 tion for a right-of-way for rural—roadways or
9 public trails to provide the city of Henderson
10 with access to the Conservation Area, in accord-
11 ance with the application numbered N-65874.

12 (c) USES.—The Secretary shall allow only such uses
13 of the Conservation Area that the Secretary determines will
14 further the purpose described in section 602.

15 (d) MOTORIZED VEHICLES.—Except as needed for ad-
16 ministrative purposes or to respond to an emergency, the
17 use of motorized vehicles in the Conservation Area shall be
18 permitted only on roads and trails designated for the use
19 of motorized vehicles by the management plan developed
20 under subsection (b).

21 (e) WITHDRAWAL.—

22 (1) IN GENERAL.—Subject to valid existing
23 rights, all public land in the Conservation Area is
24 withdrawn from—

1 (A) *all forms of entry and appropriation*
2 *under the public land laws;*

3 (B) *location, entry, and patent under the*
4 *mining laws; and*

5 (C) *operation of the mineral leasing, min-*
6 *eral materials, and geothermal leasing laws.*

7 (2) *ADDITIONAL LAND.—Notwithstanding any*
8 *other provision of law, if the Secretary acquires min-*
9 *eral or other interests in a parcel of land within the*
10 *Conservation Area after the date of enactment of this*
11 *Act, the parcel is withdrawn from operation of the*
12 *laws referred to in paragraph (1) on the date of ac-*
13 *quisition of the land.*

14 (f) *HUNTING, FISHING, AND TRAPPING.—*

15 (1) *IN GENERAL.—Nothing in this title affects*
16 *the jurisdiction of the State with respect to fish and*
17 *wildlife, including hunting, fishing, and trapping in*
18 *the Conservation Area.*

19 (2) *LIMITATIONS.—*

20 (A) *REGULATIONS.—The Secretary may*
21 *designate by regulation areas in which, and es-*
22 *tablish periods during which, for reasons of pub-*
23 *lic safety, administration, or compliance with*
24 *applicable laws, no hunting, fishing, or trapping*
25 *will be permitted in the Conservation Area.*

1 (B) *CONSULTATION.*—*Except in emer-*
2 *gencies, the Secretary shall consult with the ap-*
3 *propriate State agency before promulgating reg-*
4 *ulations under subparagraph (A) that close a*
5 *portion of the Conservation Area to hunting,*
6 *fishing, or trapping.*

7 (g) *NO BUFFER ZONES.*—

8 (1) *IN GENERAL.*—*The establishment of the Con-*
9 *servations Area shall not create an express or implied*
10 *protective perimeter or buffer zone around the Con-*
11 *servations Area.*

12 (2) *PRIVATE LAND.*—*If the use of, or conduct of*
13 *an activity on, private land that shares a boundary*
14 *with the Conservation Area is consistent with appli-*
15 *cable law, nothing in this title concerning the estab-*
16 *lishment of the Conservation Area shall prohibit or*
17 *limit the use or conduct of the activity.*

18 **SEC. 606. SALE OF FEDERAL PARCEL.**

19 (a) *IN GENERAL.*—*Notwithstanding sections 202 and*
20 *203 of the Federal Land Policy and Management Act of*
21 *1976 (43 U.S.C. 1712, 1713) and subject to valid existing*
22 *rights, not later than 1 year after the date of enactment*
23 *of this Act, the Secretary shall convey to the highest quali-*
24 *fied bidder all right, title, and interest of the United States*
25 *in and to the Federal parcel.*

1 **(b) DISPOSITION OF PROCEEDS.**—*Of the gross proceeds*
2 *from the conveyance of land under subsection (a)—*

3 (1) *5 percent shall be available to the State for*
4 *use in the general education program of the State;*
5 *and*

6 (2) *the remainder shall be deposited in the spe-*
7 *cial account established under the Southern Nevada*
8 *Public Lands Management Act of 1998 (Public Law*
9 *105–263; 112 Stat. 2345), to be available to the Sec-*
10 *retary, without further appropriation for—*

11 (A) *the construction and operation of facili-*
12 *ties to support the management of the Conserva-*
13 *tion Area;*

14 (B) *the construction and repair of trails*
15 *and roads in the Conservation Area authorized*
16 *under the management plan;*

17 (C) *research on and interpretation of the*
18 *archaeological and geological resources of the*
19 *Conservation Area;*

20 (D) *conservation and research relating to*
21 *the Conservation Area; and*

22 (E) *any other purpose that the Secretary*
23 *determines to be consistent with the purpose de-*
24 *scribed in section 602.*

1 **SEC. 607. RIGHT OF WAY.**

2 *Not later than 180 days after the date of enactment*
 3 *of this Act, the Secretary shall convey to the City of Hender-*
 4 *son the public right-of-way requested for public trail pur-*
 5 *poses under the application numbered N-76312.*

6 **TITLE VII—PUBLIC INTEREST**
 7 **CONVEYANCES**

8 **SEC. 701. DEFINITION OF MAP.**

9 *In this title, the term “map” means the map entitled*
 10 *“Southern Nevada Public Land Management Act” and*
 11 *dated October 1, 2002.*

12 **SEC. 702. CONVEYANCE TO THE UNIVERSITY OF NEVADA AT**
 13 **LAS VEGAS RESEARCH FOUNDATION.**

14 *(a) FINDINGS AND PURPOSES.—*

15 *(1) FINDINGS.—Congress finds that—*

16 *(A) the University of Nevada, Las Vegas,*
 17 *needs land in the greater Las Vegas area to pro-*
 18 *vide for the future growth of the university;*

19 *(B) the proposal by the University of Ne-*
 20 *vada, Las Vegas, for construction of a research*
 21 *park and technology center in the greater Las*
 22 *Vegas area would enhance the high tech industry*
 23 *and entrepreneurship in the State; and*

24 *(C) the land transferred to the Clark Coun-*
 25 *ty Department of Aviation under section 4(g) of*
 26 *the Southern Nevada Public Land Management*

1 *Act of 1998 (112 Stat. 2346) is the best location*
2 *for the research park and technology center.*

3 (2) *PURPOSES.—The purposes of this section*
4 *are—*

5 (A) *to provide a suitable location for the*
6 *construction of a research park and technology*
7 *center in the greater Las Vegas area;*

8 (B) *to provide the public with opportunities*
9 *for education and research in the field of high*
10 *technology; and*

11 (C) *to provide the State with opportunities*
12 *for competition and economic development in the*
13 *field of high technology.*

14 (b) *TECHNOLOGY RESEARCH CENTER.—*

15 (1) *CONVEYANCE.—Notwithstanding section*
16 *4(g)(4) of the Southern Nevada Public Land Manage-*
17 *ment Act of 1998 (112 Stat. 2347), the Clark County*
18 *Department of Aviation may convey, without consid-*
19 *eration, all right, title, and interest in and to the*
20 *parcel of land described in paragraph (3) to the Uni-*
21 *versity of Nevada at Las Vegas Research Foundation*
22 *(referred to in this section as “Foundation”) for the*
23 *development of a technology research center.*

24 (2) *CONDITION.—The conveyance under para-*
25 *graph (1) shall be subject to the condition that the*

1 *Foundation enter into an agreement that if the land*
2 *described in paragraph (3) is sold, leased, or other-*
3 *wise conveyed by the Foundation.*

4 *(A) the Foundation shall sell, lease, or oth-*
5 *erwise convey the land for fair market value;*

6 *(B) the Foundation shall contribute 85 per-*
7 *cent of the gross proceeds from the sale, lease, or*
8 *conveyance of the land to the special account;*

9 *(C) with respect to land identified on the*
10 *map entitled “Las Vegas Valley, Nevada, Land*
11 *Sales Map”, numbered 7306A, and dated May*
12 *1980, the proceeds from the sale, lease, or convey-*
13 *ance of the land identified on the map contrib-*
14 *uted to the special account by the Foundation*
15 *under subparagraph (B) shall be used by the*
16 *Secretary of Agriculture to acquire environ-*
17 *mentally sensitive land in the Lake Tahoe Basin*
18 *under section 3 of Public Law 96–586 (94 Stat.*
19 *3383);*

20 *(D) the Foundation shall contribute 5 per-*
21 *cent of the gross proceeds from the sale, lease, or*
22 *conveyance of the land to the State of Nevada for*
23 *use in the general education program of the*
24 *State; and*

1 (E) the remainder of the gross proceeds from
2 the sale, lease, or conveyance of the land shall be
3 available for use by the Foundation.

4 (3) *DESCRIPTION OF LAND.*—The parcel of land
5 referred to in paragraph (1) is the parcel of Clark
6 County Department of Aviation land—

7 (A) consisting of approximately 115 acres;
8 and

9 (B) located in the $SAW^{1/4}$ of section 33, T.
10 21 S., R. 60 E., Mount Diablo Base and Merid-
11 ian.

12 **SEC. 703. CONVEYANCE TO THE LAS VEGAS METROPOLITAN**
13 **POLICE DEPARTMENT.**

14 The Secretary shall convey to the Las Vegas Metropoli-
15 tan Police Department, without consideration, all right,
16 title, and interest in and to the parcel of land identified
17 as “Tract F” on the map for use as a shooting range.

18 **SEC. 704. CONVEYANCE TO THE CITY OF HENDERSON FOR**
19 **THE NEVADA STATE COLLEGE AT HENDER-**
20 **SON.**

21 (a) *DEFINITIONS.*—In this section:

22 (1) *CHANCELLOR.*—The term “Chancellor”
23 means the Chancellor of the University system.

24 (2) *CITY.*—The term “City” means the city of
25 Henderson, Nevada.

1 (3) *COLLEGE.*—*The term “College” means the*
2 *Nevada State College at Henderson.*

3 (4) *SURVEY.*—*The term “survey” means the land*
4 *survey required under Federal law to define the offi-*
5 *cial metes and bounds of the parcel of Federal land*
6 *identified as Tract H on the map.*

7 (5) *UNIVERSITY SYSTEM.*—*The term “University*
8 *system” means the University and Community Col-*
9 *lege System of Nevada.*

10 (b) *CONVEYANCE.*—

11 (1) *IN GENERAL.*—*Notwithstanding the Federal*
12 *Land Policy and Management Act of 1976 (43 U.S.C.*
13 *1701 et seq.) and section 1(c) of the Act of June 14,*
14 *1926 (commonly known as the “Recreation and Pub-*
15 *lic Purposes Act”) (43 U.S.C. 869(c)), not later than*
16 *180 days after the date on which the survey is ap-*
17 *proved, the Secretary shall convey to the City, without*
18 *consideration, all right, title, and interest of the*
19 *United States in and to the parcel of Federal land*
20 *identified as “Tract H” on the map for use as a cam-*
21 *pus for the College.*

22 (2) *CONDITIONS.*—

23 (A) *IN GENERAL.*—*As a condition of the*
24 *conveyance under paragraph (1), the Chancellor*
25 *and the City shall agree in writing—*

1 (i) to pay any administrative costs as-
2 sociated with the conveyance, including the
3 costs of any environmental, wildlife, cul-
4 tural, or historical resources studies;

5 (ii) to use the Federal land conveyed
6 for educational and recreational purposes;

7 (iii) to release and indemnify the
8 United States from any claims or liabilities
9 which may arise from uses that are carried
10 out on the Federal land on or before the
11 date of enactment of this Act by the United
12 States or any person;

13 (iv) as soon as practicable after the
14 date of the conveyance under paragraph (1),
15 to erect at the College an appropriate and
16 centrally located monument that acknowl-
17 edges the conveyance of the Federal land by
18 the United States for the purpose of fur-
19 thering the higher education of citizens in
20 the State; and

21 (v) to assist the Bureau of Land Man-
22 agement in providing information to the
23 students of the College and the citizens of
24 the State on—

25 (I) public land in the State; and

1 (II) *the role of the Bureau of*
2 *Land Management in managing, pre-*
3 *servicing, and protecting the public land.*

4 (B) *VALID EXISTING RIGHTS.—The convey-*
5 *ance under paragraph (1) shall be subject to all*
6 *valid existing rights.*

7 (3) *USE OF FEDERAL LAND.—*

8 (A) *IN GENERAL.—The College and the City*
9 *may use the land conveyed under paragraph (1)*
10 *for—*

11 (i) *any purpose relating to the estab-*
12 *lishment, operation, growth, and mainte-*
13 *nance of the College.*

14 (ii) *any uses relating to such purposes,*
15 *including residential and commercial devel-*
16 *opment that would generally be associated*
17 *with an institution of higher education.*

18 (B) *OTHER ENTITIES.—The College and the*
19 *City may—*

20 (i) *consistent with Federal and State*
21 *law, lease or otherwise provide property or*
22 *space at the College, with or without consid-*
23 *eration, to religious, public interest, com-*
24 *munity, or other groups for services and*
25 *events that are of interest to the College, the*

1 *City, or any community located in the Las*
2 *Vegas Valley;*

3 *(ii) allow the City or any other com-*
4 *munity in the Las Vegas Valley to use fa-*
5 *cilities of the College for educational and*
6 *recreational programs of the City or com-*
7 *munity; and*

8 *(iii) in conjunction with the City,*
9 *plan, finance, (including the provision of*
10 *cost-share assistance), construct, and oper-*
11 *ate facilities for the City on the Federal*
12 *land conveyed for educational or rec-*
13 *reational purposes consistent with this sec-*
14 *tion.*

15 *(4) REVERSION.—*

16 *(A) If the Federal land or any portion of*
17 *the Federal land conveyed under paragraph (1)*
18 *ceases to be used for the College, the Federal land*
19 *or any portion of the Federal land shall, at the*
20 *discretion of the Secretary, revert to the United*
21 *States.*

22 **SEC. 705. CONVEYANCE TO THE CITY OF LAS VEGAS, NE-**
23 **VADA.**

24 *(a) DEFINITIONS.—In this section:*

1 (1) *CITY*.—*The term “City” means the city of*
2 *Las Vegas, Nevada.*

3 (2) *SECRETARY*.—*The term “Secretary” means*
4 *the Secretary of the Interior, acting through the Di-*
5 *rector of the Bureau of Land Management.*

6 (b) *CONVEYANCE*.—*The Secretary shall convey to the*
7 *City, without consideration, all right, title, and interest of*
8 *the United States in and to the parcels of land identified*
9 *as “Tract C” and “Tract D” on the map.*

10 (c) *REVERSION*.—*If a parcel of land conveyed to the*
11 *City under subsection (b) ceases to be used for affordable*
12 *housing or for a purpose related to affordable housing, the*
13 *parcel shall, at the discretion of the Secretary, revert to the*
14 *United States.*

15 **SEC. 706. SALE OF FEDERAL PARCEL.**

16 (a) *IN GENERAL*.—*Notwithstanding sections 202 and*
17 *203 of the Federal Land Policy and Management Act of*
18 *1976 (43 U.S.C. 1712, 1713) and subject to valid existing*
19 *rights, not later than 240 days after the date of enactment*
20 *of this Act, the Secretary shall convey as a single parcel*
21 *to the highest qualified bidder all right, title, and interest*
22 *of the United States in and to approximately 360 acres that*
23 *is identified as the North Half (N^{1/2}) of Section 7, Township*
24 *23 South, Range 61 East, M.D.B.&M., Clark County, Ne-*
25 *vada and the Northeast Quarter (NE^{1/4}) of the Southeast*

1 *Quarter (SE^{1/4}) of Section 7, Township 23 South, Range*
2 *61 East, M.D.M., Clark County, Nevada, and shall include*
3 *such lands within the disposal boundaries as identified on*
4 *the map entitled “Southern Nevada Public Land Manage-*
5 *ment Act” and dated June 10, 2002.*

6 (b) *DISPOSITION OF PROCEEDS.—Of the gross proceeds*
7 *from the conveyance of land under subsection (a) shall be*
8 *distributed pursuant to Public Law 105–263.*

9 **SEC. 707. RELOCATION OF RIGHT-OF-WAY CORRIDOR IN**
10 **CLARK AND LINCOLN COUNTIES.**

11 (a) *RELINQUISHMENT OF UNITED STATES’ INTER-*
12 *EST.—Subject to subsection (b), the Secretary of the Interior*
13 *shall relinquish all right, title, and interest of the United*
14 *States in the entire right-of-way corridor as identified in*
15 *section 5(b)(1) of Public Law 100–275 and described in sec-*
16 *tion 14(a) of the Land Exchange Agreement entered into*
17 *between Aerojet-General Corporation and the United States*
18 *made effective as of July 14, 1988 (hereinafter referred to*
19 *“Exchange Agreement”), together with that sufficient por-*
20 *tion of the utility corridor identified in the Las Vegas Re-*
21 *source Management Plan (1998) lying southerly of the*
22 *boundary of the lands described in the Exchange Agreement*
23 *and a sufficient portion of said utility corridor identified*
24 *in the Caliente Management Framework Plan Amendment*
25 *(2000) lying northerly of the boundary of the lands de-*

1 scribed in the Exchange Agreement that are necessary and
2 appropriate to relocate such relinquished interest to a new
3 utility corridor being 1,000 feet in width, the centerline of
4 said corridor being 1,000 feet westerly of and parallel to
5 the centerline of United States Highway 93 while main-
6 taining a gradual and smooth interconnection of the exist-
7 ing designated corridors with the relocated segment such
8 that the 2 existing rights-of-way within this corridor may
9 be relocated into the new corridor alignment with minimal
10 engineering design changes.

11 (b) *DETERMINATION OF FAIR MARKET VALUE.*—The
12 Secretary shall determine the difference between the fair
13 market value of that portion of the Aerojet lands encum-
14 bered by the corridor and the fair market value of such
15 lands unencumbered by the corridor, which the difference
16 shall be the fair market value of such corridor. Upon the
17 Secretary's receipt of title to lands or interests in lands hav-
18 ing a fair market value equal to the fair market value of
19 the corridor the Secretary shall concurrently relinquish the
20 corridor in accordance with the provisions of this section.

21 (c) *RELOCATION OF GRANT U-42519.*—The Secretary
22 shall, without consideration from the grant holder, relocate
23 the entire portion of right-of-way grant U-42519 (also
24 known as grant UTU-60642) lying within the relinquished
25 portion of the corridor from the existing corridor to the relo-

1 *cated corridor in such a manner as to minimize engineering*
2 *design changes.*

3 *(d) RELOCATION OF GRANT NVN-49781.—The Sec-*
4 *retary shall, without consideration from the grant holder,*
5 *relocate the entire portion of NVN-49781 (which is a por-*
6 *tion of IDI-26446 and UTU-73363) lying with the relin-*
7 *quished portion of the corridor from the existing corridor*
8 *to the relocated corridor in such a manner as to minimize*
9 *engineering design changes.*

10 *(e) PERMITTED USES WITHIN UTILITY CORRIDOR.—*
11 *The Secretary may authorize the location of any and all*
12 *above ground and below ground utility facilities within the*
13 *relocated corridor, including, without limitation, trans-*
14 *mission lines, gas pipelines, natural gas pipelines, fiber op-*
15 *tics, telecommunications, water lines, wells (including mon-*
16 *itoring wells), cable television, together with all related ap-*
17 *purtenances.*

18 *(f) WAIVER OF CERTAIN REQUIREMENTS.—The reloca-*
19 *tion of the utility corridor and rights-of-ways under this*
20 *section shall be subject to the following:*

21 *(1) Shall not require the Secretary to update ei-*
22 *ther the 1998 Las Vegas Valley Resource Management*
23 *Plan or the Caliente Management Framework Plan*
24 *Amendment.*

1 (2) *Shall not require the Secretary to undertake*
2 *any further environmental assessment work prior to*
3 *relocation of the corridor or the rights-of-ways.*

4 (3) *The Secretary shall waive the requirements of*
5 *FLPMA that would otherwise be applicable to the*
6 *holders of the rights-of-way for an amendment to the*
7 *legal description of the respective rights-of-ways.*

8 **TITLE VIII—HUMBOLDT**
9 **PROJECT CONVEYANCE**

10 **SEC. 801. SHORT TITLE.**

11 *This title may be cited as the “Humboldt Project Con-*
12 *veyance Act”.*

13 **SEC. 802. DEFINITIONS.**

14 *For purposes of this title:*

15 (1) **SECRETARY.**—*The term “Secretary” means*
16 *the Secretary of the Interior.*

17 (2) **STATE.**—*The term “State” means the State*
18 *of Nevada.*

19 (3) **PCWCD.**—*The term “PCWCD” means the*
20 *Pershing County Water Conservation District, a pub-*
21 *lic entity organized under the laws of the State of Ne-*
22 *vada.*

23 (4) **PERSHING COUNTY.**—*The term “Pershing*
24 *County” means the Pershing County government, a*
25 *political subunit of the State of Nevada.*

1 (5) *LANDER COUNTY.*—*The term “Lander Coun-*
2 *ty” means the Lander County government, a political*
3 *subunit of the State of Nevada.*

4 **SEC. 803. AUTHORITY TO CONVEY TITLE.**

5 (a) *IN GENERAL.*—*As soon as practicable after the*
6 *date of enactment of this Act and in accordance with all*
7 *applicable law, the Secretary shall convey all right, title,*
8 *and interest in and to the lands and features of the Hum-*
9 *boldt Project, as generally depicted on the map entitled the*
10 *“Humboldt Project Conveyance Act”, and dated July 3,*
11 *2002, including all water rights for storage and diversion,*
12 *to PCWCD, the State, Pershing County, and Lander Coun-*
13 *ty, consistent with the terms and conditions set forth in*
14 *the Memorandum of Agreement between PCWCD and Land-*
15 *er County dated January 24, 2000, the Conceptual Agree-*
16 *ment between PCWCD and the State dated October 18,*
17 *2001, the Letter of Agreement between Pershing County and*
18 *the State dated April 16, 2002, and any agreements between*
19 *the Bureau of Reclamation and PCWCD.*

20 (b) *MAP.*—*As soon as practicable after the date of the*
21 *enactment of this Act, the Secretary shall submit to Con-*
22 *gress a map of the Humboldt Project Conveyance. In case*
23 *of a conflict between the map referred to in subsection (a)*
24 *and the map submitted by the Secretary, the map referred*
25 *to in subsection (b) shall control. The map shall have the*

1 *same force and effect as if included in this Act, except that*
2 *the Secretary may correct clerical and typographical errors*
3 *in such map and legal description. Copies of the map shall*
4 *be on file and available for public inspection in the Office*
5 *of the Commissioner of the Bureau of Reclamation and in*
6 *the office of the Area Manager of the Bureau of Reclamation*
7 *in Carson City, Nevada.*

8 (c) *COMPLIANCE WITH AGREEMENTS.*—*All parties to*
9 *the conveyance under subsection (a) shall comply with the*
10 *terms and conditions of the agreements cited in subsection*
11 *(a).*

12 (d) *REPORT.*—*If the conveyance required by this sec-*
13 *tion has not been completed within 18 months after the date*
14 *of enactment of this Act, the Secretary shall submit a report*
15 *to the Committee on Resources of the House of Representa-*
16 *tives and the Committee on Energy and Natural Resources*
17 *of the Senate that describes—*

18 (1) *the status of the conveyance;*

19 (2) *any obstacles to completion of the convey-*
20 *ance; and*

21 (3) *the anticipated date for completion of the*
22 *conveyance.*

23 **SEC. 804. PAYMENT.**

24 (a) *IN GENERAL.*—*As consideration for any convey-*
25 *ance required by section 803, PCWCD shall pay to the*

1 *United States the net present value of miscellaneous reve-*
2 *nues associated with the lands and facilities to be conveyed.*

3 **(b) WITHDRAWN LANDS.**—*As consideration for any*
4 *conveyance of withdrawn lands required by section 803, the*
5 *entity receiving title shall pay the United States (in addi-*
6 *tion to amounts paid under subsection (a)) the fair market*
7 *value for any such lands conveyed that were withdrawn*
8 *from the public domain pursuant to the Secretarial Orders*
9 *dated March 16, 1934, and April 6, 1956.*

10 **(c) ADMINISTRATIVE COSTS.**—*Administrative costs for*
11 *conveyance of any land or facility under this title shall be*
12 *paid in equal shares by the Secretary and the entity receiv-*
13 *ing title to the land or facility, except costs identified in*
14 *subsections (d) and (e).*

15 **(d) REAL ESTATE TRANSFER COSTS.**—*As a condition*
16 *of any conveyance of any land or facility required by sec-*
17 *tion 803, costs of all boundary surveys, title searches, cadas-*
18 *tral surveys, appraisals, and other real estate transactions*
19 *required for the conveyance shall be paid by the entity re-*
20 *ceiving title to the land or facility.*

21 **(e) NEPA COSTS.**—*Costs associated with any review*
22 *required under the National Environmental Policy Act of*
23 *1969 (42 U.S.C. 4321 et seq.) for conveyance of any land*
24 *or facility under section 803 shall be paid in equal shares*

1 *by the Secretary and the entity receiving title to the land*
2 *or facility.*

3 (f) *STATE OF NEVADA.—The State shall not be respon-*
4 *sible for any payments for land or facilities under this sec-*
5 *tion. Any proposal by the State to reconvey to another enti-*
6 *ty land conveyed by the Secretary under this title shall be*
7 *pursuant to an agreement with the Secretary providing for*
8 *fair market value to the United States for the lands, and*
9 *for continued management of the lands for recreation, wild-*
10 *life habitat, wetlands, or resource conservation.*

11 **SEC. 805. COMPLIANCE WITH OTHER LAWS.**

12 *Following the conveyance required by section 803, the*
13 *district, the State, Pershing County, and Lander County*
14 *shall, with respect to the interests conveyed, comply with*
15 *all requirements of Federal, State, and local law applicable*
16 *to non-Federal water distribution systems.*

17 **SEC. 806. REVOCATION OF WITHDRAWALS.**

18 *Effective on the date of the conveyance required by sec-*
19 *tion 803, the Secretarial Orders dated March 16, 1934, and*
20 *April 6, 1956, that withdrew public lands for the Rye Patch*
21 *Reservoir and the Humboldt Sink, are hereby revoked.*

22 **SEC. 807. LIABILITY.**

23 *Effective on the date of the conveyance required by sec-*
24 *tion 803, the United States shall not be held liable by any*
25 *court for damages of any kind arising out of any act, omis-*

1 sion, or occurrence relating to the Humboldt Project, except
2 for damages caused by acts of negligence committed by the
3 United States or by its employees or agents prior to the
4 date of conveyance. Nothing in this section shall be consid-
5 ered to increase the liability of the United States beyond
6 that currently provided in chapter 171 of title 28, United
7 States Code, popularly known as the Federal Tort Claims
8 Act.

9 **SEC. 808. NATIONAL ENVIRONMENTAL POLICY ACT.**

10 *Prior to any conveyance under this title, the Secretary*
11 *shall complete all actions as may be required under the Na-*
12 *tional Environmental Policy Act of 1969 (42 U.S.C. 4321*
13 *et seq.), the Endangered Species Act of 1973 (16 U.S.C.*
14 *1531 et seq.), and all other applicable laws.*

15 **SEC. 809. FUTURE BENEFITS.**

16 *Upon conveyance of the lands and facilities by the Sec-*
17 *retary under this title, the Humboldt Project shall no longer*
18 *be a Federal reclamation project and the district shall not*
19 *be entitled to receive any future reclamation benefits with*
20 *respect to that project, except those benefits that would be*
21 *available to other nonreclamation districts.*

1 **TITLE IX—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 901. TECHNICAL AMENDMENTS TO THE MESQUITE**
4 **LANDS ACT 2001.**

5 *Section 3 of Public Law 99–548 (100 Stat. 3061; 110*
6 *Stat. 3009–202) is amended—*

7 *(1) in subsection (d), by adding at the end the*
8 *following:*

9 *“(3) USE OF PROCEEDS.—The proceeds of the*
10 *sale of each parcel completed after the date of enact-*
11 *ment of this subsection—*

12 *“(A) shall be deposited in the special ac-*
13 *count established under section 4(e)(1)(C) of the*
14 *Southern Nevada Public Land Management Act*
15 *of 1998 (112 Stat. 2345); and shall be available*
16 *for use by the Secretary—*

17 *“(i) to reimburse costs incurred by the*
18 *local offices of the Bureau of Land Manage-*
19 *ment in arranging the land conveyances di-*
20 *rected by this section;*

21 *“(ii) for the development of a multispe-*
22 *cies habitat conservation plan for the Virgin*
23 *River in Clark County, Nevada, including*
24 *any associated groundwater monitoring*
25 *plan; and*

1 “(iii) as provided in section 4(e)(3) of
2 that Act (112 Stat. 2346).

3 “(4) *TIMING.*—Not later than 90 days after the
4 date of enactment of this section, the Secretary shall
5 complete the sale of any parcel authorized to be con-
6 veyed pursuant to this section and for which the Sec-
7 retary has received notification from the city under
8 subsection (d)(1).”; and
9 (2) in subsection (f)(2)(B), by adding at the end
10 the following:

11 “(v) sec. 7.”.

Union Calendar No. 470

107TH CONGRESS
2^D SESSION

H. R. 5200

[Report No. 107-750]

A BILL

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

OCTOBER 15, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed