

Union Calendar No. 365

114TH CONGRESS
2^D SESSION

H. R. 1815

[Report No. 114-479]

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2015

Mr. HARDY (for himself, Mr. AMODEI, Mr. HECK of Nevada, and Ms. TITUS) introduced the following bill; which was referred to the Committee on Natural Resources

APRIL 11, 2016

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 *italie*]

[For text of introduced bill, see copy of bill as introduced on April 15, 2015]

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

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

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

10 (1) *AVAILABILITY OF SPECIAL ACCOUNT UNDER*
 11 *LINCOLN COUNTY LAND ACT OF 2000.—Section 5(b) of*
 12 *the Lincoln County Land Act of 2000 (Public Law*
 13 *106–298; 114 Stat. 1048) is amended—*

14 (A) *in paragraph (1)—*

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

18 (ii) *in subparagraph (C)—*

19 (I) *in clause (i), by striking “;*
 20 *and” at the end and inserting a semi-*
 21 *colon; and*

22 (II) *by adding at the end the fol-*
 23 *lowing:*

24 *“(iii) development and implementation*
 25 *of comprehensive, cost-effective, and multi-*

1 *jurisdictional hazardous fuels reduction*
2 *projects and wildfire prevention planning*
3 *activities (particularly for pinyon-juniper*
4 *dominated landscapes) and other rangeland*
5 *and woodland restoration projects within*
6 *the County, consistent with the Ely Re-*
7 *source Management Plan or a subsequent*
8 *amendment to the plan; and”;* and

9 *(B) by adding at the end the following:*

10 “(3) *COOPERATIVE AGREEMENTS.—Establish-*
11 *ment of cooperative agreements between the Bureau of*
12 *Land Management and the County shall be required*
13 *for any County-provided law enforcement and plan-*
14 *ning related activities approved by the Secretary re-*
15 *garding—*

16 *“(A) wilderness in the County designated by*
17 *the Lincoln County Conservation, Recreation,*
18 *and Development Act of 2004 (Public Law 108-*
19 *424; 118 Stat. 2403);*

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

22 *“(C) planning, management, and law en-*
23 *forcement associated with the Silver State OHV*
24 *Trail designated by that Act; and*

1 “(D) *planning associated with land dis-*
2 *posal and related land use authorizations re-*
3 *quired for utility corridors and rights-of-way to*
4 *serve land that has been, or is to be, disposed of*
5 *pursuant to that Act (other than rights-of-way*
6 *granted pursuant to that Act) and this Act.”.*

7 (2) *AVAILABILITY OF SPECIAL ACCOUNT UNDER*
8 *LINCOLN COUNTY CONSERVATION, RECREATION, AND*
9 *DEVELOPMENT ACT OF 2004.—Section 103 of the Lin-*
10 *coln County Conservation, Recreation, and Develop-*
11 *ment Act of 2004 (Public Law 108–424; 118 Stat.*
12 *2406) is amended—*

13 (A) *in subsection (b)(3)—*

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

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

19 (iii) *by adding at the end the fol-*
20 *lowing:*

21 “(G) *development and implementation of*
22 *comprehensive, cost-effective, and multijuris-*
23 *dictional hazardous fuels reduction and wildfire*
24 *prevention planning activities (particularly for*
25 *pinyon-juniper dominated landscapes) and other*

1 *rangeland and woodland restoration projects*
2 *within the County, consistent with the Ely Re-*
3 *source Management Plan or a subsequent amend-*
4 *ment to the plan.”; and*

5 *(B) by adding at the end the following:*

6 “(d) *COOPERATIVE AGREEMENTS.—Establishment of*
7 *cooperative agreements between the Bureau of Land Man-*
8 *agement and the County shall be required for any County-*
9 *provided law enforcement and planning related activities*
10 *approved by the Secretary regarding—*

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

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

15 “(3) *planning, management, and law enforce-*
16 *ment associated with the Silver State OHV Trail des-*
17 *ignated by this Act; and*

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

25 “(b) *DISPOSITION OF PROCEEDS.—*

1 (1) *DISPOSITION OF PROCEEDS UNDER LINCOLN*
 2 *COUNTY LAND ACT OF 2000.*—Section 5(a)(2) of the
 3 *Lincoln County Land Act of 2000 (Public Law 106–*
 4 *298; 114 Stat. 1047)* is amended by inserting “and
 5 *the Lincoln County Regional Development Authority”*
 6 *after “schools”.*

7 (2) *DISPOSITION OF PROCEEDS UNDER LINCOLN*
 8 *COUNTY CONSERVATION, RECREATION, AND DEVELOP-*
 9 *MENT ACT OF 2004.*—Section 103(b)(2) of the *Lincoln*
 10 *County Conservation, Recreation, and Development*
 11 *Act of 2004 (Public Law 108–424; 118 Stat. 2405)* is
 12 *amended by striking “and transportation” and in-*
 13 *serting “transportation, and the Lincoln County Re-*
 14 *gional Development Authority or any other County*
 15 *economic development organization”.*

16 (c) *REALIGN A PORTION OF THE LCCRDA UTILITY*
 17 *CORRIDOR.*—Section 301(a) of the *Lincoln County Con-*
 18 *servation, Recreation, and Development Act of 2004 (Public*
 19 *Law 108–424; 118 Stat. 2413)* establishes a 2,640-foot wide
 20 *utility corridor as depicted on a map dated October 1, 2004.*
 21 *The Secretary of the Interior shall realign a portion of the*
 22 *corridor by removing the designation in sections 5, 6, 7,*
 23 *8, 9, 10, 11, 14, and 15, T. 7 N., R. 68 E. and realigning*
 24 *the corridor to sections 31, 32, and 33, T. 8 N., R. 68 E.;*

1 sections 4, 5, and 6, T. 7 N., R. 68 E.; and sections 1 and
2 12, T. 7 N., 67 E. as shown on the October 1, 2004, map.

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

5 (1) *VALIDATION OF PATENT.*—*Patent number 27-*
6 *2005-0081 issued by the Bureau of Land Management*
7 *on February 18, 2005, is affirmed and validated as*
8 *having been issued pursuant to, and in compliance*
9 *with, the Nevada-Florida Land Exchange Authoriza-*
10 *tion Act of 1988 (Public Law 100–275; 102 Stat. 52),*
11 *the National Environmental Policy Act of 1969 (42*
12 *U.S.C. 4321 et seq.), and the Federal Land Policy*
13 *and Management Act of 1976 (43 U.S.C. 1701 et seq.)*
14 *for the benefit of the desert tortoise, other species, and*
15 *the habitat of the desert tortoise and other species to*
16 *increase the likelihood of the recovery of the desert tor-*
17 *toise and other species.*

18 (2) *RATIFICATION OF RECONFIGURATION.*—*The*
19 *process used by the United States Fish and Wildlife*
20 *Service and the Bureau of Land Management in re-*
21 *configuring the land described in paragraph (1), as*
22 *depicted on Exhibit 1-4 of the Final Environmental*
23 *Impact Statement for the Planned Development*
24 *Project MSHCP, Lincoln County, NV (FWS-R8-ES-*
25 *2008-N0136) and the reconfiguration provided for in*

1 *Special Condition 10 of the Army Corps of Engineers*
2 *Permit No. 000005042 are ratified.*

3 *(e) FINAL LAND RECONFIGURATION IN LINCOLN COUN-*
4 *TY, NEVADA.—*

5 *(1) DEFINITIONS.—In this subsection:*

6 *(A) MAP.—The term “Map” means the map*
7 *prepared by the Bureau of Land Management*
8 *entitled “Proposed Lincoln County Land Recon-*
9 *figuration” and dated January 28, 2016.*

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

14 *(2) ISSUANCE OF LINCOLN COUNTY CORRECTIVE*
15 *PATENT.—*

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

20 *(B) APPLICABLE LAW.—A corrective patent*
21 *issued under subparagraph (A) shall be consid-*
22 *ered to have been issued pursuant to, and in*
23 *compliance with, the Nevada-Florida Land Ex-*
24 *change Authorization Act of 1988 (Public Law*
25 *100–275; 102 Stat. 52).*

1 **SEC. 3. MT. MORIAH WILDERNESS, HIGH SCHELLS WILDER-**
2 **NESS, AND ARC DOME WILDERNESS BOUND-**
3 **ARY ADJUSTMENTS.**

4 (a) *AMENDMENTS TO THE PAM WHITE WILDERNESS*
5 *ACT.*—Section 323 of the Pam White Wilderness Act of
6 2006 (16 U.S.C. 1132 note; Public Law 109–432; 120 Stat.
7 3031) is amended by striking subsection (e) and inserting
8 the following:

9 “(e) *MT. MORIAH WILDERNESS ADJUSTMENT.*—The
10 boundary of the Mt. Moriah Wilderness established under
11 section 2(13) of the Nevada Wilderness Protection Act of
12 1989 (16 U.S.C. 1132 note; Public Law 101–195) is ad-
13 justed to include—

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

18 “(2) the land identified as ‘NFS Lands’ on the
19 map entitled ‘Proposed Wilderness Boundary Adjust-
20 ment Mt. Moriah Wilderness Area’ and dated June
21 18, 2014.

22 “(f) *HIGH SCHELLS WILDERNESS ADJUSTMENT.*—The
23 boundary of the High Schells Wilderness established under
24 subsection (a)(11) is adjusted to include the land identified
25 as ‘Include as Wilderness’ on the map entitled ‘McCoy Creek
26 Adjustment’ and dated November 3, 2014, and to exclude

1 *the land identified as ‘NFS Lands’ on the map entitled*
2 *‘Proposed Wilderness Boundary Adjustment High Schells*
3 *Wilderness Area’ and dated June 17, 2014.’.*

4 (b) *AMENDMENTS TO THE NEVADA WILDERNESS PRO-*
5 *TECTION ACT OF 1989.—The Nevada Wilderness Protection*
6 *Act of 1989 (16 U.S.C. 1132 note; Public Law 101–195;*
7 *103 Stat. 1784) is amended by adding at the end the fol-*
8 *lowing:*

9 **“SEC. 12. ARC DOME BOUNDARY ADJUSTMENT.**

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

14 **SEC. 4. IMPLEMENTATION OF CONSERVATION PLAN, VIR-**
15 **GIN RIVER, NEVADA.**

16 *Section 3(d)(3)(B) of Public Law 99–548 (100 Stat.*
17 *3061; 116 Stat. 2018) is amended by striking “development*
18 *of a multispecies habitat conservation plan for” and insert-*
19 *ing “development and implementation of a conservation*
20 *plan to benefit fish and wildlife species of”.*

21 **SEC. 5. TECHNICAL AMENDMENT.**

22 *Section 3(f)(2)(B) of Public Law 99-548 (100 Stat.*
23 *3061) is amended by striking “(v) Sec. 7.”.*

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