

111TH CONGRESS
1ST SESSION

H. R. 763

To promote conservation and provide for sensible development in Carson City, Nevada, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2009

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

A BILL

To promote conservation and provide for sensible development in Carson City, 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Carson City Vital Community Act of 2009”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—PUBLIC CONVEYANCES

Sec. 101. Conveyances of Federal land and City land.

Sec. 102. Transfer of administrative jurisdiction from the Forest Service to the Bureau of Land Management.

TITLE II—LAND DISPOSAL

Sec. 201. Disposal of Carson City land.
 Sec. 202. Disposition of proceeds.
 Sec. 203. Urban interface.
 Sec. 204. Availability of funds.

TITLE III—TRANSFER OF LAND TO BE HELD IN TRUST FOR THE WASHOE TRIBE, SKUNK HARBOR CONVEYANCE CORRECTION, FOREST SERVICE AGREEMENT, AND ARTIFACT COLLECTION

Sec. 301. Transfer of land to be held in trust for Washoe Tribe.
 Sec. 302. Correction of Skunk Harbor conveyance.
 Sec. 303. Agreement with Forest Service.
 Sec. 304. Artifact collection.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CITY.—The term “City” means Carson City
 4 Consolidated Municipality, Nevada.

5 (2) MAP.—The term “Map” means the map en-
 6 titled “Carson City, Nevada Area”, dated September
 7 12, 2008, and on file and available for public inspec-
 8 tion in the appropriate offices of—

9 (A) the Bureau of Land Management;

10 (B) the Forest Service; and

11 (C) the City.

12 (3) SECRETARY.—The term “Secretary”
 13 means—

14 (A) with respect to land in the National
 15 Forest System, the Secretary of Agriculture,
 16 acting through the Chief of the Forest Service;
 17 and

1 (B) with respect to other Federal land, the
2 Secretary of the Interior.

3 (4) SECRETARIES.—The term “Secretaries”
4 means the Secretary of Agriculture and the Sec-
5 retary of the Interior, acting jointly.

6 (5) TRIBE.—The term “Tribe” means the
7 Washoe Tribe of Nevada and California, which is a
8 federally recognized Indian tribe.

9 **TITLE I—PUBLIC CONVEYANCES**

10 **SEC. 101. CONVEYANCES OF FEDERAL LAND AND CITY** 11 **LAND.**

12 (a) IN GENERAL.—Notwithstanding section 202 of
13 the Federal Land Policy and Management Act of 1976
14 (43 U.S.C. 1712), if the City offers to convey to the
15 United States title to the non-Federal land described in
16 subsection (b)(1) that is acceptable to the Secretary of Ag-
17 riculture—

18 (1) the Secretary shall accept the offer; and

19 (2) not later than 180 days after the date on
20 which the Secretary receive acceptable title to the
21 non-Federal land described in subsection (b)(1), the
22 Secretaries shall convey to the City, subject to valid
23 existing rights and for no consideration, except as
24 provided in subsection (c)(1), all right, title, and in-
25 terest of the United States in and to the Federal

1 land (other than any easement reserved under sub-
2 section (c)(2)) or interest in land described in sub-
3 section (b)(2).

4 (b) DESCRIPTION OF LAND.—

5 (1) NON-FEDERAL LAND.—The non-Federal
6 land referred to in subsection (a) is the approxi-
7 mately 2,264 acres of land administered by the City
8 and identified on the Map as “To U.S. Forest Serv-
9 ice”.

10 (2) FEDERAL LAND.—The Federal land re-
11 ferred to in subsection (a)(2) is—

12 (A) the approximately 935 acres of Forest
13 Service land identified on the Map as “To Car-
14 son City for Natural Areas”;

15 (B) the approximately 3,604 acres of Bu-
16 reau of Land Management land identified on
17 the Map as “Silver Saddle Ranch and Carson
18 River Area”;

19 (C) the approximately 1,862 acres of Bu-
20 reau of Land Management land identified on
21 the Map as “To Carson City for Parks and
22 Public Purposes”; and

23 (D) the approximately 75 acres of City
24 land in which the Bureau of Land Management
25 has a reversionary interest that is identified on

1 the Map as “Reversionary Interest of the
2 United States Released”.

3 (c) CONDITIONS.—

4 (1) CONSIDERATION.—Before the conveyance of
5 the 62-acre Bernhard parcel to the City, the City
6 shall deposit in the special account established by
7 section 202(b)(1) an amount equal to 25 percent of
8 the difference between—

9 (A) the amount for which the Bernhard
10 parcel was purchased by the City on July 18,
11 2001; and

12 (B) the amount for which the Bernhard
13 parcel was purchased by the Secretary on
14 March 24, 2006.

15 (2) CONSERVATION EASEMENT.—As a condition
16 of the conveyance of the land described in subsection
17 (b)(2)(B), the Secretary, in consultation with Carson
18 City and affected local interests, shall reserve a per-
19 petual conservation easement to the land to protect,
20 preserve, and enhance the conservation values of the
21 land, consistent with subsection (d)(2).

22 (3) COSTS.—Any costs relating to the convey-
23 ance under subsection (a), including any costs for
24 surveys and other administrative costs, shall be paid
25 by the recipient of the land being conveyed.

1 (d) USE OF LAND.—

2 (1) NATURAL AREAS.—

3 (A) IN GENERAL.—Except as provided in
4 subparagraph (B), the land described in sub-
5 section (b)(2)(A) shall be managed by the City
6 to maintain undeveloped open space and to pre-
7 serve the natural characteristics of the land in
8 perpetuity.

9 (B) EXCEPTION.—Notwithstanding sub-
10 paragraph (A), the City may—

11 (i) conduct projects on the land to re-
12 duce fuels;

13 (ii) construct and maintain trails,
14 trailhead facilities, and any infrastructure
15 on the land that is required for municipal
16 water and flood management activities;
17 and

18 (iii) maintain or reconstruct any im-
19 provements on the land that are in exist-
20 ence on the date of enactment of this Act.

21 (2) SILVER SADDLE RANCH AND CARSON RIVER
22 AREA.—

23 (A) IN GENERAL.—Except as provided in
24 subparagraph (B), the land described in sub-
25 section (b)(2)(B) shall—

1 (i) be managed by the City to protect
2 and enhance the Carson River, the flood-
3 plain and surrounding upland, and impor-
4 tant wildlife habitat; and

5 (ii) be used for undeveloped open
6 space, passive recreation, customary agri-
7 cultural practices, and wildlife protection.

8 (B) EXCEPTION.—Notwithstanding sub-
9 paragraph (A), the City may—

10 (i) construct and maintain trails and
11 trailhead facilities on the land;

12 (ii) conduct projects on the land to re-
13 duce fuels;

14 (iii) maintain or reconstruct any im-
15 provements on the land that are in exist-
16 ence on the date of enactment of this Act;
17 and

18 (iv) allow the use of motorized vehi-
19 cles on designated roads, trails, and areas
20 in the south end of Prison Hill.

21 (3) PARKS AND PUBLIC PURPOSES.—The land
22 described in subsection (b)(2)(C) shall be managed
23 by the City for—

24 (A) undeveloped open space; and

1 (B) recreation or other public purposes
2 consistent with the Act of June 14, 1926 (com-
3 monly known as the “Recreation and Public
4 Purposes Act”) (43 U.S.C. 869 et seq.).

5 (4) REVERSIONARY INTEREST.—

6 (A) RELEASE.—The reversionary interest
7 described in subsection (b)(2)(D) shall termi-
8 nate on the date of enactment of this Act.

9 (B) CONVEYANCE BY CITY.—

10 (i) IN GENERAL.—If the City sells,
11 leases, or otherwise conveys any portion of
12 the land described in subsection (b)(2)(D),
13 the sale, lease, or conveyance of land shall
14 be—

15 (I) through a competitive bidding
16 process; and

17 (II) except as provided in clause
18 (ii), for not less than fair market
19 value.

20 (ii) CONVEYANCE TO GOVERNMENT
21 OR NONPROFIT.—A sale, lease, or convey-
22 ance of land described in subsection
23 (b)(2)(D) to the Federal Government, a
24 State government, a unit of local govern-
25 ment, or a nonprofit organization shall be

1 for consideration in an amount equal to
2 the price established by the Secretary of
3 the Interior under section 2741 of title 43,
4 Code of Federal Regulation (or successor
5 regulations).

6 (iii) DISPOSITION OF PROCEEDS.—
7 The gross proceeds from the sale, lease, or
8 conveyance of land under clause (i) shall
9 be distributed in accordance with section
10 202(a).

11 (e) REVERSION.—If land conveyed under subsection
12 (a) is used in a manner that is inconsistent with the uses
13 described in paragraph (1), (2), (3), or (4) of subsection
14 (d), the land shall, at the discretion of the Secretary, re-
15 vert to the United States.

16 (f) MISCELLANEOUS PROVISIONS.—

17 (1) IN GENERAL.—On conveyance of the non-
18 Federal land under subsection (a) to the Secretary
19 of Agriculture, the non-Federal land shall—

20 (A) become part of the Humboldt-Toiyabe
21 National Forest; and

22 (B) be administered in accordance with the
23 laws (including the regulations) and rules gen-
24 erally applicable to the National Forest System.

1 (2) MANAGEMENT PLAN.—The Secretary of Ag-
2 riculture, in consultation with the City and other in-
3 terested parties, may develop and implement a man-
4 agement plan for National Forest System land that
5 ensures the protection and stabilization of the Na-
6 tional Forest System land to minimize the impacts
7 of flooding on the City.

8 (g) CONVEYANCE TO BUREAU OF LAND MANAGE-
9 MENT.—

10 (1) IN GENERAL.—If the City offers to convey
11 to the United States title to the non-Federal land
12 described in paragraph (2) that is acceptable to the
13 Secretary of the Interior, the land shall, at the dis-
14 cretion of the Secretary, be conveyed to the United
15 States.

16 (2) DESCRIPTION OF LAND.—The non-Federal
17 land referred to in paragraph (1) is the approxi-
18 mately 136 acres of land administered by the City
19 and identified on the Map as “To Bureau of Land
20 Management”.

21 (3) COSTS.—Any costs relating to the convey-
22 ance under paragraph (1), including any costs for
23 surveys and other administrative costs, shall be paid
24 by the Secretary of the Interior.

1 **SEC. 102. TRANSFER OF ADMINISTRATIVE JURISDICTION**
2 **FROM THE FOREST SERVICE TO THE BUREAU**
3 **OF LAND MANAGEMENT.**

4 (a) IN GENERAL.—Administrative jurisdiction over
5 the approximately 50 acres of Forest Service land identi-
6 fied on the Map as “Parcel #1” is transferred, from the
7 Secretary of Agriculture to the Secretary of the Interior.

8 (b) COSTS.—Any costs relating to the transfer under
9 subsection (a), including any costs for surveys and other
10 administrative costs, shall be paid by the Secretary of the
11 Interior.

12 (c) USE OF LAND.—

13 (1) RIGHT-OF-WAY.—Not later than 120 days
14 after the date of enactment of this Act, the Sec-
15 retary of the Interior shall grant to the City a right-
16 of-way for the maintenance of flood management fa-
17 cilities located on the land.

18 (2) DISPOSAL.—The land referred to in sub-
19 section (a) shall be disposed of in accordance with
20 section 201.

21 (3) DISPOSITION OF PROCEEDS.—The gross
22 proceeds from the disposal of land under paragraph
23 (2) shall be distributed in accordance with section
24 202(a).

1 **TITLE II—LAND DISPOSAL**

2 **SEC. 201. DISPOSAL OF CARSON CITY LAND.**

3 (a) IN GENERAL.—Notwithstanding sections 202 and
4 203 of the Federal Land Policy and Management Act of
5 1976 (43 U.S.C. 1712, 1713), the Secretary of the Inte-
6 rior shall, in accordance with that Act, this title, and other
7 applicable law, and subject to valid existing rights, conduct
8 sales of the Federal land described in subsection (b) to
9 qualified bidders.

10 (b) DESCRIPTION OF LAND.—The Federal land re-
11 ferred to in subsection (a) is—

12 (1) the approximately 108 acres of Bureau of
13 Land Management land identified as “Lands for
14 Disposal” on the Map; and

15 (2) the approximately 50 acres of land identi-
16 fied as “Parcel #1” on the Map.

17 (c) COMPLIANCE WITH LOCAL PLANNING AND ZON-
18 ING LAWS.—Before a sale of Federal land under sub-
19 section (a), the City shall submit to the Secretary a certifi-
20 cation that qualified bidders have agreed to comply with—

21 (1) City zoning ordinances; and

22 (2) any master plan for the area approved by
23 the City.

24 (d) METHOD OF SALE; CONSIDERATION.—The sale
25 of Federal land under subsection (a) shall be—

1 (1) consistent with subsections (d) and (f) of
2 section 203 of the Federal Land Policy and Manage-
3 ment Act of 1976 (43 U.S.C. 1713);

4 (2) unless otherwise determined by the Sec-
5 retary, through a competitive bidding process; and

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

7 (e) WITHDRAWAL.—

8 (1) IN GENERAL.—Subject to valid existing
9 rights and except as provided in paragraph (2), the
10 Federal land described in subsection (b) is with-
11 drawn from—

12 (A) all forms of entry and appropriation
13 under the public land laws;

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

16 (C) operation of the mineral leasing and
17 geothermal leasing laws.

18 (2) EXCEPTION.—Paragraph (1)(A) shall not
19 apply to sales made consistent with this section.

20 (f) DEADLINE FOR SALE.—

21 (1) IN GENERAL.—Except as provided in para-
22 graph (2), not later than 1 year after the date of en-
23 actment of this Act, if there is a qualified bidder for
24 the land described in paragraphs (1) and (2) of sub-

1 section (b), the Secretary of the Interior shall offer
2 the land for sale to the qualified bidder.

3 (2) POSTPONEMENT; EXCLUSION FROM SALE.—

4 (A) REQUEST BY CARSON CITY FOR POST-
5 PONEMENT OR EXCLUSION.—At the request of
6 the City, the Secretary shall postpone or ex-
7 clude from the sale under paragraph (1) all or
8 a portion of the land described in paragraphs
9 (1) and (2) of subsection (b).

10 (B) INDEFINITE POSTPONEMENT.—Unless
11 specifically requested by the City, a postpone-
12 ment under subparagraph (A) shall not be in-
13 definite.

14 **SEC. 202. DISPOSITION OF PROCEEDS.**

15 (a) IN GENERAL.—Of the proceeds from the sale of
16 land under sections 101(d)(4)(B) and 201(a)—

17 (1) 5 percent shall be paid directly to the State
18 for use in the general education program of the
19 State; and

20 (2) the remainder shall be deposited in a special
21 account in the Treasury of the United States, to be
22 known as the “Carson City Special Account”, and
23 shall be available without further appropriation to
24 the Secretary until expended to—

1 (A) reimburse costs incurred by the Bu-
2 reau of Land Management for preparing for the
3 sale of the Federal land described in section
4 201(b), including the costs of—

5 (i) surveys and appraisals; and

6 (ii) compliance with—

7 (I) the National Environmental
8 Policy Act of 1969 (42 U.S.C. 4321
9 et seq.); and

10 (II) sections 202 and 203 of the
11 Federal Land Policy and Management
12 Act of 1976 (43 U.S.C. 1712, 1713);

13 (B) reimburse costs incurred by the Bu-
14 reau of Land Management and Forest Service
15 for preparing for, and carrying out, the trans-
16 fers of land to be held in trust by the United
17 States under section 301; and

18 (C) acquire environmentally sensitive land
19 or an interest in environmentally sensitive land
20 in the City.

21 (b) SILVER SADDLE ENDOWMENT ACCOUNT.—

22 (1) ESTABLISHMENT.—There is established in
23 the Treasury of the United States a special account,
24 to be known as the “Silver Saddle Endowment Ac-

1 count”, consisting of such amounts as are deposited
2 under section 101(c)(1).

3 (2) AVAILABILITY OF AMOUNTS.—Amounts de-
4 posited in the account established by paragraph (1)
5 shall be available to the Secretary, without further
6 appropriation, for the oversight and enforcement of
7 the conservation easement established under section
8 101(c)(2).

9 **SEC. 203. URBAN INTERFACE.**

10 (a) IN GENERAL.—Except as otherwise provided in
11 this Act and subject to valid existing rights, the Federal
12 land described in subsection (b) is permanently withdrawn
13 from—

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

16 (2) location and patent under the mining laws;
17 and

18 (3) operation of the mineral laws, geothermal
19 leasing laws, and mineral material laws.

20 (b) DESCRIPTION OF LAND.—The land referred to in
21 subsection (a) consists of approximately 19,747 acres,
22 which is identified on the Map as “Urban Interface With-
23 drawal”.

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

1 of the land described in subsection (b) that is acquired
2 by the United States after the date of enactment of this
3 Act shall be withdrawn in accordance with this section.

4 (d) OFF-HIGHWAY VEHICLE MANAGEMENT.—Until
5 the date on which the Secretary, in consultation with the
6 State, the City, and any other interested persons, com-
7 pletes a transportation plan for Federal land in the City,
8 the use of motorized and mechanical vehicles on Federal
9 land within the City shall be limited to roads and trails
10 in existence on the date of enactment of this Act unless
11 the use of the vehicles is needed—

12 (1) for administrative purposes; or

13 (2) to respond to an emergency.

14 **SEC. 204. AVAILABILITY OF FUNDS.**

15 Section 4(e) of the Southern Nevada Public Land
16 Management Act of 1998 (Public Law 105–263; 112 Stat.
17 2346; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414;
18 120 Stat. 3045) is amended—

19 (1) in paragraph (3)(A)(iv), by striking “Clark,
20 Lincoln, and White Pine Counties and Washoe
21 County (subject to paragraph 4)” and inserting
22 “Clark, Lincoln, and White Pine Counties and
23 Washoe County (subject to paragraph 4) and Car-
24 son City (subject to paragraph (5))”;

1 (2) in paragraph (3)(A)(v), by striking “Clark,
2 Lincoln, and White Pine Counties” and inserting
3 “Clark, Lincoln, and White Pine Counties and Car-
4 son City (subject to paragraph (5))”;

5 (3) in paragraph (4), by striking “2011” and
6 inserting “2015”; and

7 (4) by adding at the end the following:

8 “(5) LIMITATION FOR CARSON CITY.—Carson
9 City shall be eligible to nominate for expenditure
10 amounts to acquire land or an interest in land for
11 parks or natural areas and for conservation initia-
12 tives—

13 “(A) adjacent to the Carson River; or

14 “(B) within the floodplain of the Carson
15 River.”.

1 **TITLE III—TRANSFER OF LAND**
2 **TO BE HELD IN TRUST FOR**
3 **THE WASHOE TRIBE, SKUNK**
4 **HARBOR CONVEYANCE COR-**
5 **RECTION, FOREST SERVICE**
6 **AGREEMENT, AND ARTIFACT**
7 **COLLECTION**

8 **SEC. 301. TRANSFER OF LAND TO BE HELD IN TRUST FOR**
9 **WASHOE TRIBE.**

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

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

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

16 (b) DESCRIPTION OF LAND.—The land referred to in
17 subsection (a) consists of approximately 293 acres, which
18 is identified on the Map as “To Washoe Tribe”.

19 (c) SURVEY.—Not later than 180 days after the date
20 of enactment of this Act, the Secretary of Agriculture shall
21 complete a survey of the boundary lines to establish the
22 boundaries of the land taken into trust under subsection
23 (a).

24 (d) USE OF LAND.—

1 (1) GAMING.—Land taken into trust under sub-
2 section (a) shall not be eligible, or considered to
3 have been taken into trust, for class II gaming or
4 class III gaming (as those terms are defined in sec-
5 tion 4 of the Indian Gaming Regulatory Act (25
6 U.S.C. 2703)).

7 (2) TRUST LAND FOR CEREMONIAL USE AND
8 CONSERVATION.—With respect to the use of the land
9 taken into trust under subsection (a) that is above
10 the 5,200' elevation contour, the Tribe—

11 (A) shall limit the use of the land to—

12 (i) traditional and customary uses;

13 and

14 (ii) stewardship conservation for the
15 benefit of the Tribe; and

16 (B) shall not permit any—

17 (i) permanent residential or rec-
18 reational development on the land; or

19 (ii) commercial use of the land, in-
20 cluding commercial development or gam-
21 ing.

22 (3) TRUST LAND FOR COMMERCIAL AND RESI-
23 DENTIAL USE.—With respect to the use of the land
24 taken into trust under subsection (a), the Tribe shall

1 limit the use of the land below the 5,200' elevation
2 to—

3 (A) traditional and customary uses;

4 (B) stewardship conservation for the ben-
5 efit of the Tribe; and

6 (C)(i) residential or recreational develop-
7 ment; or

8 (ii) commercial use.

9 (4) THINNING; LANDSCAPE RESTORATION.—

10 With respect to the land taken into trust under sub-
11 section (a), the Secretary of Agriculture, in consulta-
12 tion and coordination with the Tribe, may carry out
13 any thinning and other landscape restoration activi-
14 ties on the land that is beneficial to the Tribe and
15 the Forest Service.

16 **SEC. 302. CORRECTION OF SKUNK HARBOR CONVEYANCE.**

17 (a) PURPOSE.—The purpose of this section is to
18 amend Public Law 108–67 (117 Stat. 880) to make a
19 technical correction relating to the land conveyance au-
20 thorized under that Act.

21 (b) TECHNICAL CORRECTION.—Section 2 of Public
22 Law 108–67 (117 Stat. 880) is amended—

23 (1) by striking “Subject to” and inserting the
24 following:

25 “(a) IN GENERAL.—Subject to”;

1 (2) in subsection (a) (as designated by para-
2 graph (1)), by striking “the parcel” and all that fol-
3 lows through the period at the end and inserting the
4 following: “and to approximately 23 acres of land
5 identified as ‘Parcel A’ on the map entitled ‘Skunk
6 Harbor Conveyance Correction’ and dated Sep-
7 tember 12, 2008, the western boundary of which is
8 the low water line of Lake Tahoe at elevation
9 6,223.0 (Lake Tahoe Datum).”; and

10 (3) by adding at the end the following:

11 “(b) SURVEY AND LEGAL DESCRIPTION.—

12 “(1) IN GENERAL.—Not later than 180 days
13 after the date of enactment of this subsection, the
14 Secretary of Agriculture shall complete a survey and
15 legal description of the boundary lines to establish
16 the boundaries of the trust land.

17 “(2) TECHNICAL CORRECTIONS.—The Sec-
18 retary may correct any technical errors in the survey
19 or legal description completed under paragraph (1).

20 “(c) PUBLIC ACCESS AND USE.—Nothing in this Act
21 prohibits any approved general public access (through ex-
22 isting easements or by boat) to, or use of, land remaining
23 within the Lake Tahoe Basin Management Unit after the
24 conveyance of the land to the Secretary of the Interior,
25 in trust for the Tribe, under subsection (a), including ac-

1 cess to, and use of, the beach and shoreline areas adjacent
2 to the portion of land conveyed under that subsection.”.

3 (c) DATE OF TRUST STATUS.—The trust land de-
4 scribed in section 2(a) of Public Law 108–67 (117 Stat.
5 880) shall be considered to be taken into trust as of Au-
6 gust 1, 2003.

7 (d) TRANSFER.—The Secretary of the Interior, act-
8 ing on behalf of and for the benefit of the Tribe, shall
9 transfer to the Secretary of Agriculture administrative ju-
10 risdiction over the land identified as “Parcel B” on the
11 map entitled “Skunk Harbor Conveyance Correction” and
12 dated September 12, 2008.

13 **SEC. 303. AGREEMENT WITH FOREST SERVICE.**

14 The Secretary of Agriculture, in consultation with the
15 Tribe, shall develop and implement a cooperative agree-
16 ment that ensures regular access by members of the Tribe
17 and other people in the community of the Tribe across
18 National Forest System land from the City to Lake Tahoe
19 for cultural and religious purposes.

20 **SEC. 304. ARTIFACT COLLECTION.**

21 (a) NOTICE.—At least 180 days before conducting
22 any ground disturbing activities on the land identified as
23 “Parcel #2” on the Map, the City shall notify the Tribe
24 of the proposed activities to provide the Tribe with ade-

1 quate time to inventory and collect any artifacts in the
2 affected area.

3 (b) AUTHORIZED ACTIVITIES.—On receipt of notice
4 under subsection (a), the Tribe may collect and possess
5 any artifacts relating to the Tribe in the land identified
6 as “Parcel #2” on the Map.

○