

114TH CONGRESS
1ST SESSION

H. R. 856

To establish the Gold Butte National Conservation Area in Clark County, Nevada, in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2015

Ms. TITUS introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the Gold Butte National Conservation Area in Clark County, Nevada, in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, 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 “Gold Butte National Conservation Area Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.

TITLE I—GOLD BUTTE NATIONAL CONSERVATION AREA

- Sec. 101. Establishment of Gold Butte National Conservation Area.
- Sec. 102. Management of Conservation Area.
- Sec. 103. General provisions.
- Sec. 104. Gold Butte National Conservation Area Advisory Council.

TITLE II—DESIGNATION OF WILDERNESS AREAS IN CLARK
 COUNTY, NEVADA

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

TITLE III—GENERAL PROVISIONS

- Sec. 301. Relationship to Clark County Multi-Species Habitat Conservation Plan.
- Sec. 302. Visitor center, research, and interpretation.
- Sec. 303. Termination of withdrawal of Bureau of Land Management land.

3 **SEC. 2. FINDINGS.**

4 Congress finds that—

5 (1) the public land in southeastern Nevada gen-
 6 erally known as “Gold Butte” is recognized for out-
 7 standing—

8 (A) scenic values;

9 (B) natural resources, including critical
 10 habitat, sensitive species, wildlife, desert tor-
 11 toise habitat, and geology;

1 (C) historic resources, including historic
2 mining, ranching and other western cultures,
3 and pioneer activities; and

4 (D) cultural resources, including evidence
5 of prehistoric habitation and rock art;

6 (2) Gold Butte has become a destination for di-
7 verse recreation opportunities, including camping,
8 hiking, hunting, motorized recreation, and sight-
9 seeing;

10 (3) Gold Butte draws visitors from throughout
11 the United States;

12 (4) Gold Butte provides important economic
13 benefits to Mesquite and other nearby communities;

14 (5) inclusion of the Gold Butte National Con-
15 servation Area in the National Landscape Conserva-
16 tion System would provide increased opportunities
17 for—

18 (A) interpretation of the diverse values of
19 the area for the visiting public; and

20 (B) education and community outreach in
21 the region; and

22 (6) designation of Gold Butte as a National
23 Conservation Area will permanently protect the sce-
24 nic, biological, natural, historical, scientific, paleon-

1 tological, recreational, ecological, wilderness, and
2 cultural resources within the area.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) **ADVISORY COUNCIL.**—The term “Advisory
6 Council” means the Gold Butte National Conserva-
7 tion Area Advisory Council established under section
8 104(a).

9 (2) **CONSERVATION AREA.**—The term “Con-
10 servation Area” means the Gold Butte National
11 Conservation Area established by section 101(a).

12 (3) **COUNTY.**—The term “County” means Clark
13 County, Nevada.

14 (4) **DESIGNATED ROUTE.**—The term “des-
15 ignated route” means a road that is designated as
16 open by the Route Designations for Selected Areas
17 of Critical Environmental Concern Located in the
18 Northeast Portion of the Las Vegas BLM District
19 Environmental Assessment, NV–052–2006–0433.

20 (5) **MANAGEMENT PLAN.**—The term “manage-
21 ment plan” means the management plan for the
22 Conservation Area developed under section 102(b).

23 (6) **MAP.**—The term “Map” means the map en-
24 titled “Gold Butte National Conservation Area” and
25 dated May 23, 2013.

1 (7) PUBLIC LAND.—The term “public land”
2 has the meaning given the term “public lands” in
3 section 103 of the Federal Land Policy and Manage-
4 ment Act of 1976 (43 U.S.C. 1702).

5 (8) SECRETARY.—The term “Secretary” means
6 the Secretary of the Interior.

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

9 (10) WILDERNESS AREA.—The term “wilder-
10 ness area” means a wilderness areas designated by
11 section 202(a).

12 **TITLE I—GOLD BUTTE NA-**
13 **TIONAL CONSERVATION AREA**

14 **SEC. 101. ESTABLISHMENT OF GOLD BUTTE NATIONAL**
15 **CONSERVATION AREA.**

16 (a) ESTABLISHMENT.—There is established the Gold
17 Butte National Conservation Area in the State.

18 (b) AREA INCLUDED.—The Conservation Area shall
19 consist of approximately 348,515 acres of public land ad-
20 ministered by the Bureau of Land Management in the
21 County, as generally depicted on the Map.

22 (c) MAP AND LEGAL DESCRIPTION.—

23 (1) IN GENERAL.—As soon as practicable after
24 the date of enactment of this Act, the Secretary
25 shall file a map and legal description of the Con-

1 servation Area with the Committee on Natural Re-
2 sources of the House of Representatives and the
3 Committee on Energy and Natural Resources of the
4 Senate.

5 (2) EFFECT.—The map and legal description
6 prepared under paragraph (1) shall have the same
7 force and effect as if included in this title, except
8 that the Secretary may correct minor errors in the
9 map or legal description.

10 (3) PUBLIC AVAILABILITY.—A copy of the map
11 and legal description shall be on file and available
12 for public inspection in the appropriate offices of the
13 Bureau of Land Management and the National Park
14 Service.

15 **SEC. 102. MANAGEMENT OF CONSERVATION AREA.**

16 (a) PURPOSES.—In accordance with this title, the
17 Federal Land Policy and Management Act of 1976 (43
18 U.S.C. 1701 et seq.), and other applicable laws, the Sec-
19 retary shall manage the Conservation Area in a manner
20 that conserves, protects, and enhances the scenic, biologi-
21 cal, natural, historical, scientific, paleontological, rec-
22 reational, ecological, wilderness, and cultural resources of
23 the Conservation Area.

24 (b) MANAGEMENT PLAN.—

1 (1) PLAN REQUIRED.—Not later than 3 years
2 after the date of enactment of this Act, the Sec-
3 retary shall develop a management plan for the long-
4 term protection and management of the Conserva-
5 tion Area.

6 (2) CONSULTATION.—The Secretary shall pre-
7 pare the management plan in consultation with the
8 State, local and tribal government entities, the Advi-
9 sory Council, and the public.

10 (3) REQUIREMENTS.—The management plan
11 shall—

12 (A) describe the appropriate uses and
13 management of the Conservation Area; and

14 (B) include a recommendation on interpre-
15 tive and educational materials regarding the
16 cultural and biological resources of the region
17 within which the Conservation Area is located.

18 (4) INCORPORATION OF ROUTE DESIGNA-
19 TIONS.—The management plan shall incorporate the
20 decisions in the Route Designations for Selected
21 Areas of Critical Environmental Concern Located in
22 the Northeast Portion of the Las Vegas BLM Dis-
23 trict Environmental Assessment, NV-052-2006-
24 0433.

1 (c) USES.—The Secretary shall allow only such uses
2 of the Conservation Area that the Secretary determines
3 would further the purpose of the Conservation Area de-
4 scribed in subsection (a).

5 (d) INCORPORATION OF ACQUIRED LAND AND IN-
6 TERESTS.—Any land or interests in land located within
7 the boundary of the Conservation Area that is acquired
8 by the United States after the date of enactment of this
9 Act shall become part of the Conservation Area and be
10 managed as provided in subsection (a).

11 (e) MOTORIZED VEHICLES.—

12 (1) IN GENERAL.—Except in cases in which
13 motorized vehicles are needed for administrative pur-
14 poses or to respond to an emergency, the use of mo-
15 torized vehicles shall be permitted only on des-
16 ignated routes.

17 (2) MONITORING AND EVALUATION.—The Sec-
18 retary shall annually—

19 (A) assess the effects of the use of motor-
20 ized vehicles on designated routes; and

21 (B) in consultation with the Nevada De-
22 partment of Wildlife, assess the effects of des-
23 ignated routes on wildlife and wildlife habitat to
24 minimize environmental impacts and prevent

1 damage to cultural and historical resources
2 from the use of designated routes.

3 (3) MANAGEMENT.—

4 (A) IN GENERAL.—The Secretary shall
5 manage designated routes in a manner that—

6 (i) is consistent with motorized and
7 mechanized use of the designated routes
8 that is authorized on the date of the enact-
9 ment of this Act;

10 (ii) ensures the safety of the people
11 that use the designated routes;

12 (iii) does not damage sensitive habitat
13 or cultural or historical resources; and

14 (iv) provides for adaptive management
15 of resources and restoration of damaged
16 habitat or resources.

17 (B) REROUTING.—

18 (i) IN GENERAL.—A designated route
19 may be temporarily closed or rerouted if
20 the Secretary, in consultation with the
21 State, the County, and the Advisory Coun-
22 cil, subject to subparagraph (C), deter-
23 mines that—

24 (I) the designated route is having
25 an adverse impact on—

- 1 (aa) sensitive habitat;
2 (bb) natural resources;
3 (cc) cultural resources; or
4 (dd) historical resources;

5 (II) the designated route threat-
6 ens public safety;

7 (III) temporary closure of the
8 designated route is necessary to re-
9 pair—

10 (aa) the designated route; or

11 (bb) resource damage; or

12 (IV) modification of the des-
13 igned route would not significantly
14 affect access within the Conservation
15 Area.

16 (ii) PRIORITY.—If the Secretary de-
17 termines that the rerouting of a designated
18 route is necessary under clause (i), the
19 Secretary may give priority to existing
20 roads designated as closed.

21 (iii) DURATION.—A designated route
22 that is temporarily closed under clause (i)
23 shall remain closed only until the date on
24 which the resource or public safety issue

1 that led to the temporary closure has been
2 resolved.

3 (C) NOTICE.—The Secretary shall provide
4 information to the public regarding any des-
5 ignated routes that are open, have been re-
6 routed, or are temporarily closed through—

7 (i) use of appropriate signage within
8 the Conservation Area; and

9 (ii) the distribution of maps, safety
10 education materials, law enforcement, and
11 other information considered to be appro-
12 priate by the Secretary.

13 (4) NO EFFECT ON NON-FEDERAL LAND OR IN-
14 TERESTS IN NON-FEDERAL LAND.—Nothing in this
15 section affects ownership, management, or other
16 rights relating to non-Federal land or interests in
17 non-Federal land.

18 (5) MAP ON FILE.—The Secretary shall keep a
19 current map on file at the appropriate offices of the
20 Bureau of Land Management.

21 (6) ROAD CONSTRUCTION.—Except as nec-
22 essary for administrative purposes or to respond to
23 an emergency, the Secretary shall not construct any
24 permanent or temporary road within the Conserva-
25 tion Area after the date of enactment of this Act.

1 (f) NATIONAL LANDSCAPE CONSERVATION SYS-
2 TEM.—The Conservation Area shall be administered as a
3 component of the National Landscape Conservation Sys-
4 tem.

5 (g) HUNTING, FISHING, AND TRAPPING.—Nothing in
6 this title affects the jurisdiction of the State with respect
7 to fish and wildlife, including hunting, fishing, and trap-
8 ping in the Conservation Area.

9 **SEC. 103. GENERAL PROVISIONS.**

10 (a) NO BUFFER ZONES.—

11 (1) IN GENERAL.—The establishment of the
12 Conservation Area shall not create an express or im-
13 plied protective perimeter or buffer zone around the
14 Conservation Area.

15 (2) PRIVATE LAND.—If the use of, or conduct
16 of an activity on, private land that shares a bound-
17 ary with the Conservation Area is consistent with
18 applicable law, nothing in this title concerning the
19 establishment of the Conservation Area prohibits or
20 limits the use or conduct of the activity.

21 (b) WITHDRAWALS.—Subject to valid existing rights,
22 all public land within the Conservation Area, including any
23 land or interest in land that is acquired by the United
24 States within the Conservation Area after the date of en-
25 actment of this Act, is withdrawn from—

1 (1) entry, appropriation or disposal under the
2 public land laws;

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

5 (3) operation of the mineral leasing, mineral
6 materials, and geothermal leasing laws.

7 (c) SPECIAL MANAGEMENT AREAS.—

8 (1) IN GENERAL.—The establishment of the
9 Conservation Area shall not affect the management
10 status of any area within the boundary of the Con-
11 servation Area that is protected under the Clark
12 County Multi-Species Habitat Conservation Plan.

13 (2) CONFLICT OF LAWS.—If there is a conflict
14 between the laws applicable to an area described in
15 paragraph (1) and this title, the more restrictive
16 provision shall control.

17 **SEC. 104. GOLD BUTTE NATIONAL CONSERVATION AREA**
18 **ADVISORY COUNCIL.**

19 (a) ESTABLISHMENT.—Not later than 180 days after
20 the date of enactment of this Act, the Secretary shall es-
21 tablish an advisory council, to be known as the “Gold
22 Butte National Conservation Area Advisory Council”.

23 (b) DUTIES.—The Advisory Council shall advise the
24 Secretary with respect to the preparation and implementa-
25 tion of the management plan.

1 (c) APPLICABLE LAW.—The Advisory Council shall
2 be subject to—

3 (1) the Federal Advisory Committee Act (5
4 U.S.C. App.); and

5 (2) the Federal Land Policy and Management
6 Act of 1976 (43 U.S.C. 1701 et seq.).

7 (d) MEMBERS.—

8 (1) IN GENERAL.—The Advisory Council shall
9 include 13 members to be appointed by the Sec-
10 retary, of whom, to the extent practicable—

11 (A) 4 members shall be appointed after
12 considering the recommendations of the Mes-
13 quite, Nevada, City Council;

14 (B) 1 member shall be appointed after con-
15 sidering the recommendations of the
16 Bunkerville, Nevada, Town Advisory Board;

17 (C) 1 member shall be appointed after con-
18 sidering the recommendations of the Moapa
19 Valley, Nevada, Town Advisory Board;

20 (D) 1 member shall be appointed after
21 considering the recommendations of the Moapa,
22 Nevada, Town Advisory Board;

23 (E) 1 member shall be appointed after con-
24 sidering the recommendations of the Moapa
25 Band of Paiutes Tribal Council; and

1 (F) 5 at-large members from the County
2 shall be appointed after considering the rec-
3 ommendations of the County Commission.

4 (2) SPECIAL APPOINTMENT CONSIDER-
5 ATIONS.—The at-large members appointed under
6 paragraph (1)(F) shall have backgrounds that re-
7 flect—

8 (A) the purposes for which the Conserva-
9 tion Area was established; and

10 (B) the interests of persons affected by the
11 planning and management of the Conservation
12 Area.

13 (3) REPRESENTATION.—The Secretary shall en-
14 sure that the membership of the Advisory Council is
15 fairly balanced in terms of the points of view rep-
16 resented and the functions to be performed by the
17 Advisory Council.

18 (4) INITIAL APPOINTMENT.—Not later than
19 180 days after the date of enactment of this Act, the
20 Secretary shall appoint the initial members of the
21 Advisory Council in accordance with paragraph (1).

22 (e) DUTIES OF THE ADVISORY COUNCIL.—The Advi-
23 sory Council shall advise the Secretary with respect to the
24 preparation and implementation of the management plan,

1 including budgetary matters relating to the Conservation
2 Area.

3 (f) COMPENSATION.—Members of the Advisory Coun-
4 cil shall receive no compensation for serving on the Advi-
5 sory Council.

6 (g) CHAIRPERSON.—

7 (1) IN GENERAL.—The Advisory Council shall
8 elect a Chairperson from among the members of the
9 Advisory Council.

10 (2) TERM.—The term of the Chairperson shall
11 be 3 years.

12 (h) TERM OF MEMBERS.—

13 (1) IN GENERAL.—The term of a member of
14 the Advisory Council shall be 3 years.

15 (2) SUCCESSORS.—Notwithstanding the expira-
16 tion of a 3-year term of a member of the Advisory
17 Council, a member may continue to serve on the Ad-
18 visory Council until a successor is appointed.

19 (i) VACANCIES.—

20 (1) IN GENERAL.—A vacancy on the Advisory
21 Council shall be filled in the same manner in which
22 the original appointment was made.

23 (2) APPOINTMENT FOR REMAINDER OF
24 TERM.—A member appointed to fill a vacancy on the

1 Advisory Council shall serve for the remainder of the
2 term for which the predecessor was appointed.

3 (j) TERMINATION.—The Advisory Council shall ter-
4 minate not later than 3 years after the date on which the
5 final version of the management plan is published.

6 **TITLE II—DESIGNATION OF WIL-**
7 **DERNESS AREAS IN CLARK**
8 **COUNTY, NEVADA**

9 **SEC. 201. FINDINGS.**

10 Congress finds that—

11 (1) public land administered by the Bureau of
12 Land Management, Bureau of Reclamation, and Na-
13 tional Park Service in the County contains unique
14 and spectacular natural, cultural, and historical re-
15 sources, including—

16 (A) priceless habitat for numerous species
17 of plants and wildlife;

18 (B) thousands of acres of land that remain
19 in a natural state; and

20 (C) numerous sites containing significant
21 cultural and historical artifacts; and

22 (2) continued preservation of the public land
23 would benefit the County and all of the United
24 States by—

1 (A) ensuring the conservation of eco-
2 logically diverse habitat;

3 (B) protecting prehistoric cultural re-
4 sources;

5 (C) conserving primitive recreational re-
6 sources; and

7 (D) protecting air and water quality.

8 **SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
9 **VATION SYSTEM.**

10 (a) ADDITIONS.—In furtherance of the Wilderness
11 Act (16 U.S.C. 1131 et seq.), the following public land
12 administered by the National Park Service or the Bureau
13 of Land Management in the County is designated as wil-
14 derness and as components of the National Wilderness
15 Preservation System:

16 (1) VIRGIN PEAK WILDERNESS.—Certain public
17 land managed by the Bureau of Land Management,
18 comprising approximately 18,296 acres, as generally
19 depicted on the Map, which shall be known as the
20 “Virgin Peak Wilderness”.

21 (2) BLACK RIDGE WILDERNESS.—Certain pub-
22 lic land managed by the Bureau of Land Manage-
23 ment, comprising approximately 18,192 acres, as
24 generally depicted on the Map, which shall be known
25 as the “Black Ridge Wilderness”.

1 (3) BITTER RIDGE NORTH WILDERNESS.—Cer-
2 tain public land managed by the Bureau of Land
3 Management comprising approximately 15,114
4 acres, as generally depicted on the Map, which shall
5 be known as the “Bitter Ridge North Wilderness”.

6 (4) BITTER RIDGE SOUTH WILDERNESS.—Cer-
7 tain public land managed by the Bureau of Land
8 Management, comprising approximately 12,646
9 acres, as generally depicted on the Map, which shall
10 be known as the “Bitter Ridge Wilderness”.

11 (5) BILLY GOAT PEAK WILDERNESS.—Certain
12 public land managed by the Bureau of Land Man-
13 agement, comprising approximately 30,460 acres, as
14 generally depicted on the Map, which shall be known
15 as the “Billy Goat Peak Wilderness”.

16 (6) MILLION HILLS WILDERNESS.—Certain
17 public land managed by the Bureau of Land Man-
18 agement, comprising approximately 24,818 acres, as
19 generally depicted on the Map, which shall be known
20 as the “Million Hills Wilderness”.

21 (7) OVERTON WILDERNESS.—Certain Federal
22 land within the Lake Mead National Recreation
23 Area, comprising approximately 23,227 acres, as
24 generally depicted on the Map, which shall be known
25 as the “Overton Wilderness”.

1 (8) TWIN SPRINGS WILDERNESS.—Certain Fed-
2 eral land within the Lake Mead National Recreation
3 Area, comprising approximately 9,684 acres, as gen-
4 erally depicted on the Map, which shall be known as
5 the “Twin Springs Wilderness”.

6 (9) SCANLON WASH WILDERNESS.—Certain
7 Federal land within the Lake Mead National Recre-
8 ation Area, comprising approximately 22,826 acres,
9 as generally depicted on the Map, which shall be
10 known as the “Scanlon Wash Wilderness”.

11 (10) HILLER MOUNTAINS WILDERNESS.—Cer-
12 tain Federal land within the Lake Mead National
13 Recreation Area, comprising approximately 14,832
14 acres, as generally depicted on the Map, which shall
15 be known as the “Hiller Mountains Wilderness”.

16 (11) HELL’S KITCHEN WILDERNESS.—Certain
17 Federal land within the Lake Mead National Recre-
18 ation Area, comprising approximately 12,439 acres,
19 as generally depicted on the Map, which shall be
20 known as the “Hell’s Kitchen Wilderness”.

21 (12) INDIAN HILLS WILDERNESS.—Certain
22 Federal land within the Lake Mead National Recre-
23 ation Area, comprising approximately 8,955 acres,
24 as generally depicted on the Map, which shall be
25 known as the “Indian Hills Wilderness”.

1 (13) LIME CANYON WILDERNESS ADDITIONS.—
2 Certain public land managed by the Bureau of Land
3 Management, comprising approximately 10,069
4 acres, as generally depicted on the Map, which is in-
5 corporated in, and shall be managed as part of, the
6 “Lime Canyon Wilderness” designated by section
7 202(a)(9) of the Clark County Conservation of Pub-
8 lic Land and Natural Resources Act of 2002 (16
9 U.S.C. 1132 note; Public Law 107–282).

10 (b) NATIONAL LANDSCAPE CONSERVATION SYS-
11 TEM.—The wilderness areas administered by the Bureau
12 of Land Management shall be administered as components
13 of the National Landscape Conservation System.

14 (c) ROAD OFFSET.—The boundary of any portion of
15 a wilderness area that is bordered by a road shall be at
16 least 100 feet away from the centerline of the road so as
17 not to interfere with public access.

18 (d) LAKE OFFSET.—The boundary of any portion of
19 a wilderness area that is bordered by Lake Mead or the
20 Colorado River shall be 300 feet inland from the high
21 water line.

22 (e) MAP AND LEGAL DESCRIPTION.—

23 (1) IN GENERAL.—As soon as practicable after
24 the date of enactment of this Act, the Secretary
25 shall file a map and legal description of each wilder-

1 ness area with the Committee on Natural Resources
2 of the House of Representatives and the Committee
3 on Energy and Natural Resources of the Senate.

4 (2) EFFECT.—Each map and legal description
5 under paragraph (1) shall have the same force and
6 effect as if included in this title, except that the Sec-
7 retary may correct clerical and typographical errors
8 in the map or legal description.

9 (3) AVAILABILITY.—Each map and legal de-
10 scription under paragraph (1) shall be on file and
11 available for public inspection in the appropriate of-
12 fices of the Bureau of Land Management and the
13 National Park Service.

14 **SEC. 203. ADMINISTRATION.**

15 (a) MANAGEMENT.—Subject to valid existing rights,
16 the wilderness areas shall be administered by the Sec-
17 retary in accordance with the Wilderness Act (16 U.S.C.
18 1131 et seq.), except that—

19 (1) any reference in that Act to the effective
20 date of that Act shall be considered to be a reference
21 to the date of enactment of this Act; and

22 (2) any reference in that Act to the Secretary
23 of Agriculture shall be considered to be a reference
24 to the Secretary.

1 (b) INCORPORATION OF ACQUIRED LAND AND IN-
2 TERESTS.—Any land or interest in land within the bound-
3 aries of a wilderness area that is acquired by the United
4 States after the date of enactment of this Act shall be
5 added to, and administered as part of, the wilderness area
6 within which the acquired land or interest is located.

7 (c) WATER RIGHTS.—

8 (1) FINDINGS.—Congress finds that—

9 (A) the land designated as a wilderness
10 area—

11 (i) is within the Mojave Desert;

12 (ii) is arid in nature; and

13 (iii) includes ephemeral streams;

14 (B) the hydrology of the land designated
15 as a wilderness area is locally characterized by
16 complex flow patterns and alluvial fans with im-
17 permanent channels;

18 (C) the subsurface hydrogeology of the re-
19 gion within which the land designated as a wil-
20 derness area is located is characterized by
21 ground water subject to local and regional flow
22 gradients and artesian aquifers;

23 (D) the land designated as a wilderness
24 area is generally not suitable for use or develop-
25 ment of new water resource facilities;

1 (E) there are no actual or proposed water
2 resource facilities and no opportunities for di-
3 version, storage, or other uses of water occur-
4 ring outside the land designated as a wilderness
5 area that would adversely affect the wilderness
6 or other values of the land; and

7 (F) because of the unique nature and hy-
8 drology of the desert land designated as a wil-
9 derness area and the existence of the Clark
10 County Multi-Species Habitat Conservation
11 Plan, it is possible to provide for proper man-
12 agement and protection of the wilderness, pe-
13 rennial springs, and other values of the land in
14 ways different than the methods used in other
15 laws.

16 (2) STATUTORY CONSTRUCTION.—

17 (A) NO RESERVATION.—Nothing in this
18 title constitutes an express or implied reserva-
19 tion by the United States of any water or water
20 rights with respect to the land designated as a
21 wilderness area.

22 (B) STATE RIGHTS.—Nothing in this title
23 affects any water rights in the State existing on
24 the date of enactment of this Act, including any
25 water rights held by the United States.

1 (C) NO PRECEDENT.—Nothing in this sub-
2 section establishes a precedent with regard to
3 any future wilderness designations.

4 (D) NO EFFECT ON COMPACTS.—Nothing
5 in this title limits, alters, modifies, or amends
6 any of the interstate compacts or equitable ap-
7 portionment decrees that apportion water
8 among and between the State and other States.

9 (E) CLARK COUNTY MULTI-SPECIES HABITAT
10 CONSERVATION PLAN.—Nothing in this
11 title limits, alters, modifies, or amends the
12 Clark County Multi-Species Habitat Conserva-
13 tion Plan with respect to the land designated as
14 a wilderness area, including specific manage-
15 ment actions for the conservation of perennial
16 springs.

17 (3) NEVADA WATER LAW.—The Secretary shall
18 follow the procedural and substantive requirements
19 of State law in order to obtain and hold any water
20 rights not in existence on the date of enactment of
21 this Act with respect to the land designated as a wil-
22 derness area.

23 (4) NEW PROJECTS.—

24 (A) DEFINITION.—

1 (i) IN GENERAL.—In this paragraph,
2 the term “water resource facility” means
3 irrigation and pumping facilities, res-
4 ervoirs, water conservation works, aque-
5 ducts, canals, ditches, pipelines, wells, hy-
6 dropower projects, and transmission and
7 other ancillary facilities, and other water
8 diversion, storage, and carriage structures.

9 (ii) EXCLUSION.—In this paragraph,
10 the term “water resource facility” does not
11 include wildlife guzzlers.

12 (B) NO LICENSES OR PERMITS.—Except
13 as otherwise provided in this title, on and after
14 the date of enactment of this Act, neither the
15 President nor any other officer, employee, or
16 agent of the United States shall fund, assist,
17 authorize, or issue a license or permit for the
18 development of any new water resource facility
19 within the land designated as a wilderness area.

20 (d) WITHDRAWAL.—Subject to valid existing rights,
21 any Federal land within the wilderness areas, including
22 any land or interest in land that is acquired by the United
23 States within the Conservation Area after the date of en-
24 actment of this Act, is withdrawn from—

1 (1) entry, appropriation, or disposal under the
2 public land laws;

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

5 (3) operation of the mineral leasing, mineral
6 materials, and geothermal leasing laws.

7 **SEC. 204. ADJACENT MANAGEMENT.**

8 (a) **NO BUFFER ZONES.**—Congress does not intend
9 for the designation of land as wilderness areas to lead to
10 the creation of protective perimeters or buffer zones
11 around the wilderness areas.

12 (b) **NONWILDERNESS ACTIVITIES.**—The fact that
13 nonwilderness activities or uses can be seen or heard from
14 areas within a wilderness area shall not preclude the con-
15 duct of those activities or uses outside the boundary of
16 the wilderness area.

17 **SEC. 205. MILITARY, LAW ENFORCEMENT, AND EMERGENCY**
18 **OVERFLIGHTS.**

19 Nothing in this Act restricts or precludes—

20 (1) low-level overflights of military, law enforce-
21 ment, or emergency medical services aircraft over
22 the area designated as wilderness by this Act, in-
23 cluding military, law enforcement, or emergency
24 medical services overflights that can be seen or
25 heard within the wilderness area;

1 (2) flight testing and evaluation; or

2 (3) the designation or creation of new units of
3 special use airspace, or the establishment of military,
4 law enforcement, or emergency medical services
5 flight training routes, over the wilderness area.

6 **SEC. 206. RELEASE OF WILDERNESS STUDY AREAS.**

7 (a) FINDING.—Congress finds that, for the purposes
8 of section 603 of the Federal Land Policy and Manage-
9 ment Act of 1976 (43 U.S.C. 1782), the Bureau of Land
10 Management land in any portion of the wilderness study
11 areas located within the Conservation Area not designated
12 as a wilderness area has been adequately studied for wil-
13 derness designation.

14 (b) RELEASE.—Any Bureau of Land Management
15 land described in subsection (a) that is not designated as
16 a wilderness area—

17 (1) is no longer subject to section 603(c) of the
18 Federal Land Policy and Management Act of 1976
19 (43 U.S.C. 1782(c));

20 (2) shall be managed in accordance with—

21 (A) the land management plans adopted
22 under section 202 of that Act (43 U.S.C.
23 1712); and

1 (B) cooperative conservation agreements in
2 existence on the date of enactment of this Act;
3 and

4 (3) shall be subject to the Endangered Species
5 Act of 1973 (16 U.S.C. 1531 et seq.).

6 **SEC. 207. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
7 **USES.**

8 Nothing in this title diminishes—

9 (1) the rights of any Indian tribe; or

10 (2) tribal rights regarding access to Federal
11 land for tribal activities, including spiritual, cultural,
12 and traditional food-gathering activities.

13 **SEC. 208. WILDLIFE MANAGEMENT.**

14 (a) **IN GENERAL.**—In accordance with section
15 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
16 nothing in this title affects or diminishes the jurisdiction
17 of the State with respect to fish and wildlife management,
18 including the regulation of hunting, fishing, and trapping,
19 in the wilderness areas.

20 (b) **MANAGEMENT ACTIVITIES.**—

21 (1) **IN GENERAL.**—In furtherance of the pur-
22 poses and principles of the Wilderness Act (16
23 U.S.C. 1131 et seq.), management activities to
24 maintain or restore fish and wildlife populations and
25 the habitats to support the populations may be car-

1 ried out within the wilderness areas, if the activi-
2 ties—

3 (A) are consistent with relevant wilderness
4 management plans; and

5 (B) are carried out in accordance with ap-
6 propriate policies, such as those set forth in Ap-
7 pendix B of House Report 101–405.

8 (2) USE OF MOTORIZED VEHICLES.—The man-
9 agement activities under paragraph (1) may include
10 the occasional and temporary use of motorized vehi-
11 cles, if the use, as determined by the Secretary,
12 would—

13 (A) promote healthy, viable, and more nat-
14 urally distributed wildlife populations that
15 would enhance wilderness values; and

16 (B) accomplish the purposes described in
17 subparagraph (A) with the minimum impact
18 necessary 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)(1)) and
21 in accordance with appropriate policies such as those set
22 forth in Appendix B of House Report 101–405, the State
23 may continue to use aircraft (including helicopters) to sur-
24 vey, capture, transplant, monitor, and provide water for

1 wildlife populations, including bighorn sheep, and feral
2 stock, horses, and burros.

3 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—

4 Subject to subsection (f), the Secretary shall authorize
5 structures and facilities, including existing structures and
6 facilities, for wildlife water development projects, including
7 guzzlers, in the wilderness areas if—

8 (1) the structures and facilities will, as deter-
9 mined by the Secretary, enhance wilderness values
10 by promoting healthy, viable and more naturally dis-
11 tributed wildlife populations; and

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

15 (e) HUNTING, FISHING, AND TRAPPING.—

16 (1) IN GENERAL.—The Secretary may des-
17 ignate, by regulation, areas in which, and establish
18 periods during which, for reasons of public safety,
19 administration, or compliance with applicable laws,
20 no hunting, fishing, or trapping will be permitted in
21 the wilderness areas.

22 (2) CONSULTATION.—Except in emergencies,
23 the Secretary shall consult with the appropriate
24 State agency before promulgating regulations under
25 paragraph (1).

1 (f) COOPERATIVE AGREEMENT.—The State, includ-
2 ing a designee of the State, may conduct wildlife manage-
3 ment activities in the wilderness areas—

4 (1) in accordance with the terms and conditions
5 specified in the cooperative agreement between the
6 Secretary and the State entitled “Memorandum of
7 Understanding between the Bureau of Land Man-
8 agement and the Nevada Department of Wildlife
9 Supplement No. 9” and signed November and De-
10 cember 2003, including any amendments to the co-
11 operative agreement agreed to by the Secretary and
12 the State; and

13 (2) subject to all applicable laws (including reg-
14 ulations).

15 **SEC. 209. WILDFIRE, INSECT, AND DISEASE MANAGEMENT.**

16 (a) IN GENERAL.—In accordance with section
17 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the
18 Secretary may take such measures in each wilderness area
19 as the Secretary determines to be necessary for the control
20 of fire, insects, and diseases (including, as the Secretary
21 determines to be appropriate, the coordination of the ac-
22 tivities with a State or local agency).

23 (b) EFFECT.—Nothing in this Act precludes a Fed-
24 eral, State, or local agency from conducting wildfire man-
25 agement operations (including operations using aircraft or

1 mechanized equipment) in accordance with section 4(d)(1)
2 of the Wilderness Act (16 U.S.C. 1133(d)(1)).

3 **SEC. 210. CLIMATOLOGICAL DATA COLLECTION.**

4 Subject to such terms and conditions as the Secretary
5 may require, nothing in this title precludes the installation
6 and maintenance of hydrologic, meteorologic, or climato-
7 logical collection devices in the wilderness areas if the fa-
8 cilities and access to the facilities are essential to flood
9 warning, flood control, and water reservoir operation ac-
10 tivities.

11 **SEC. 211. NATIONAL PARK SYSTEM LAND.**

12 To the extent any of the provisions of this title are
13 in conflict with laws (including regulations) or manage-
14 ment policies applicable to Federal land within the Lake
15 Mead National Recreation Area designated as a wilderness
16 area, the laws (including regulations) or policies shall con-
17 trol.

18 **TITLE III—GENERAL**
19 **PROVISIONS**

20 **SEC. 301. RELATIONSHIP TO CLARK COUNTY MULTI-SPE-**
21 **CIES HABITAT CONSERVATION PLAN.**

22 (a) IN GENERAL.—Nothing in this Act limits, alters,
23 modifies, or amends the Clark County Multi-Species Habi-
24 tat Conservation Plan with respect to the Conservation
25 Area and the wilderness areas, including the specific man-

1 agement actions contained in the Clark County Multi-Spe-
 2 cies Habitat Conservation Plan for the conservation of pe-
 3 rennial springs.

4 (b) CONSERVATION MANAGEMENT AREAS.—The Sec-
 5 retary shall credit the Conservation Area and the wilder-
 6 ness areas as Conservation Management Areas, as may
 7 be required by the Clark County Multi-Species Habitat
 8 Conservation Plan (including amendments to the plan).

9 (c) MANAGEMENT PLAN.—In developing the manage-
 10 ment plan, to the extent consistent with this section, the
 11 Secretary may incorporate any provision of the Clark
 12 County Multi-Species Habitat Conservation Plan.

13 **SEC. 302. VISITOR CENTER, RESEARCH, AND INTERPRETA-**
 14 **TION.**

15 (a) IN GENERAL.—The Secretary, acting through the
 16 Director of the Bureau of Land Management, may estab-
 17 lish, in cooperation with any other public or private enti-
 18 ties that the Secretary may determine to be appropriate,
 19 a visitor center and field office in Mesquite, Nevada—

20 (1) to serve visitors; and

21 (2) to assist in fulfilling the purposes of—

22 (A) the Lake Mead National Recreation
 23 Area;

24 (B) the Grand Canyon-Parashant National
 25 Monument; and

1 (C) the Conservation Area.

2 (b) REQUIREMENTS.—The Secretary shall ensure
3 that the visitor center authorized under subsection (a) is
4 designed—

5 (1) to interpret the scenic, biological, natural,
6 historical, scientific, paleontological, recreational, ec-
7 ological, wilderness, and cultural resources of each of
8 the areas described in that subsection; and

9 (2) to serve as an interagency field office for
10 each of the areas described in that subsection.

11 (c) COOPERATIVE AGREEMENTS.—The Secretary
12 may, in a manner consistent with this Act, enter into coop-
13 erative agreements with the State, the State of Arizona,
14 and any other appropriate institutions and organizations
15 to carry out the purposes of this section.

16 **SEC. 303. TERMINATION OF WITHDRAWAL OF BUREAU OF**
17 **LAND MANAGEMENT LAND.**

18 (a) TERMINATION OF WITHDRAWAL.—The with-
19 drawal of the parcels of Bureau of Land Management land
20 described in subsection (b) for use by the Bureau of Rec-
21 lamation is terminated.

22 (b) DESCRIPTION OF LAND.—The parcels of land re-
23 ferred to in subsection (a) consist of the Bureau of Land
24 Management land identified on the Map as “Transfer
25 from BOR to BLM”.

1 (c) MAP AND LEGAL DESCRIPTION.—

2 (1) IN GENERAL.—As soon as practicable after
3 the date of enactment of this Act, the Secretary
4 shall finalize the legal description of the land revert-
5 ing to the Bureau of Land Management under sub-
6 section (a).

7 (2) MINOR ERRORS.—The Secretary may cor-
8 rect any minor error in—

9 (A) the Map; or

10 (B) the legal description.

11 (3) AVAILABILITY.—The Map and legal descrip-
12 tion shall be on file and available for public inspec-
13 tion in the appropriate offices of the Bureau of
14 Land Management and the Bureau of Reclamation.

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