

OHMVR COMMISSION MEETING**Susanville, CA****June 8, 2018**

STAFF REPORT: Legislative Update

STAFF: Marivel Barajas, Deputy Director, Legislative Affairs

SUBJECT: California Legislation

Summary

This report provides summary excerpts and status of bills that affect the Off-Highway Motor Vehicle Recreation (OHMVR) Program. Information contained in this report is accurate as of May 22, 2018.

CALIFORNIA LEGISLATION UPDATE**Senate Bill 1316 (Glazer) Off-highway vehicular recreation: Carnegie State Vehicular Recreation Area: Alameda-Tesla Expansion Area.**

Summary: This bill would authorize the Department to dispose of approximately 3,100 acres of Carnegie State Vehicular Recreation Area, also known as the Tesla Expansion Area. Additionally, this bill would authorize the Department of General Services to transfer the land to a local agency or nonprofit organization for less than fair market value, if the buyer agrees to use the land as a park or other open-space purpose, as defined.

Status: Senate Appropriations Suspense File
Senate Natural Resources and Water Committee– Passed (Ayes:6 Noes:2)
Senate Governmental Organization Committee – Passed (Ayes:7 Noes:4)

Assembly Bill 1874 (Voepel) Fuel taxes: Off-Highway Vehicle Trust Fund.

Summary: This bill would eliminate the State Controller transfer of \$833,000 per month from the Off-Highway Vehicle Trust Fund to the General Fund, beginning June 30, 2019.

Status: Assembly Appropriations Suspense File
Assembly Transportation Committee– Passed (Ayes:13 Noes:0)

2017 - 2018 115th US CONGRESS FEDERAL LEGISLATION UPDATE

S. 32 (Feinstein): California Desert Conservation and Recreation Act of 2017

Summary: This bill is an attempt to achieve consensus on the various uses of desert land. This is the result of years of engagement with a range of stakeholders including environmental groups, local and state government officials, off-highway recreation enthusiasts, cattle ranchers, mining interests, the Department of Defense, wind and solar energy companies, California's public utility companies and many others. The legislation also directs the Secretary of the Interior to complete several studies that would include stakeholders and state and local government input.

The bill's key off-highway vehicle provisions:

Designate five existing Bureau of Land Management Off-Highway Vehicle areas (covering approximately 142,000 acres of California desert) as permanent Off-Highway Vehicle recreation areas, providing off-highway enthusiasts certainty that these uses of the desert will be protected in a manner similar to conservation areas.

Status: 7/26/17 Senate Committee on Energy and Natural Resources: Subcommittee on Public Lands, Forests, and Mining

S. 1959 (K. Harris): Central Coast Heritage Protection Act

Summary: This bill would designate certain federal lands in California as wilderness. Additionally, this bill would require the Secretary of Agriculture to study the feasibility of opening a new trail, for off-highway vehicle use, connecting Forest Service Highway 95 to the Ballinger Canyon off-highway vehicle area, as defined.

Status: 10/16/17 Referred to the Committee on Energy and Natural Resources

S. 2335 (Rounds): California Desert Conservation and Recreation Act of 2017

Summary: This is a companion bill to H.R. 289 (LaMalfa). This bill would amend the Federal Lands Recreation Enhancement Act to allow the Secretary of the Interior and the Secretary of Agriculture (USDA) to issue special recreation permits and fees for off-highway vehicle use on certain federal recreational lands, as defined.

Status: 1/24/18 Referred to the Committee on Energy and Natural Resources

H.R. 289 (LaMalfa): Guides and Outfitters Act

Summary: This bill would amend the Federal Lands Recreation Enhancement Act to allow the Secretary of the Interior and the Secretary of Agriculture (USDA) to issue special recreation permits and fees for off-highway vehicle use on certain federal recreational lands, as defined.

Status: 10/3/17 Received in the Senate – Referred to the Committee on Energy and Natural Resources

10/2/17 Agreed to in House – Passed to Senate

H.R. 350: (McHenry): Recognizing the Protection of Motorsports Act of 2017 (RPM Act)

Summary: This bill would modify the Clean Air Act to provide an exemption for vehicles used solely for competition.

Status: 12/6/17 Passed out of Committee on Energy and Commerce and referred to the House Floor
9/13/17 Heard and considered by the Subcommittee on the Environment
1/25/17 Referred to the Subcommittee on the Environment

H.R. 622 (Chaffetz): Local Enforcement for Local Lands Act

Summary: This bill would transfer all law enforcement functions on BLM and USFS lands, including those related to off-highway motor vehicle recreation, to local law enforcement agencies. Additionally, the Department of the Interior would provide a block grant to each state to support law enforcement activities. (Note: author change)

Status: 2/13/17 Referred to the Subcommittee on Conservation and Forestry

H.R. 827 (Vargas): Imperial Valley Desert Conservation and Recreation Act

Summary: The bill would transfer BLM land to Anza-Borrego Desert State Park to be managed as state wilderness. Additionally, this bill would establish the Vinagre Wash Special Management Area in eastern Imperial County, to expand recreational opportunities and to protect and enhance wildlife habitat, cultural, and ecological resources.

Status: 6/27/17 Referred to the House Floor
2/13/17 Referred to the Subcommittee on Federal Lands

H.R. 857 (Cook): California Off-Road Recreation and Conservation Act

Summary: This bill would expand certain off-highway vehicle recreation areas and designate as wilderness specified public lands in California administered by the Bureau of Land Management. The bill's key off-highway vehicle provisions: Designate six National Off-Highway Vehicle Recreation Areas including Spangler Hills, El Mirage, Stoddard Valley, Rasor, Dumont Dunes, and Johnson Valley. Three of these areas would be expanded to include El Mirage (680 acres), Spangler Hills (41,000 acres) and Johnson Valley (19,393 acres).

Status: 2/6/18 Subcommittee hearing held
2/16/17 Referred to the Subcommittee on Federal Lands

H.R. 1913 (Panetta): Clear Creek National Recreation Area and Conservation Act

Summary: This bill would establish the Clear Creek National Recreation Area in California, to promote environmentally responsible off-highway vehicle recreation, and to support other recreational uses. This bill would require the Department of the Interior to incorporate natural resource protection information, previously unavailable, to create a comprehensive management plan for the area, as specified. The plan shall include a hazards education program and a user fee program for motorized vehicle use. The bill

would also designate approximately 21,000 acres of federal land in Fresno and San Benito counties for inclusion in the National Wilderness Preservation System.

Status: 7/12/17 Received in the Senate – Referred to the Committee on Energy and Natural Resources

H.R. 2365 (Cook): Desert Community Lands Act

Summary: This bill would authorize the Department of the Interior to convey, without consideration, approximately 4,600 acres of land to the town of Apple Valley, to be designated as the Apple Valley Off-Highway Vehicle Recreation Area. Additionally, this bill would authorize the Department of the Interior to develop a special management plan for the Apple Valley Off-Highway Vehicle Recreation Area to enhance the safe use of off-highway vehicles for recreational purposes.

Status: 5/11/17 Referred to the Subcommittee on Federal Lands

H.R. 4072 (Carbajal): Central Coast Heritage Protection Act

Summary: This is a companion bill to S. 1959 (K. Harris). This bill would designate certain federal lands in California as wilderness. Additionally, this bill would require the Secretary of Agriculture to study the feasibility of opening a new trail for off-highway vehicle use connecting Forest Service Highway 95 to the Ballinger Canyon Off-Highway Vehicle Area, as defined.

Status: 10/18/17 Referred to the Subcommittee on Federal Lands
10/16/17 Referred to the House Committee on Natural Resources

Commission Action

For information only

Attachments

AMENDED IN SENATE APRIL 30, 2018

SENATE BILL

No. 1316

Introduced by Senator Glazer

(Principal coauthor: Assembly Member Baker)

(Coauthors: Senators Galgiani, Hill, Wieckowski, and Wiener)

*(Coauthors: Assembly Members Berman, Bonta, Chu, Grayson, Levine,
and Ting)*

February 16, 2018

An act to add Section 5090.42 to the Public Resources Code, relating to parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1316, as amended, Glazer. Off-highway vehicular recreation: Carnegie State Vehicular Recreation Area: Alameda-Tesla Expansion Area.

The Off-Highway Motor Vehicle Recreation Act of 2003 creates the Division of Off-Highway Motor Vehicle Recreation within the Department of Parks and Recreation. The act gives the division certain duties and responsibilities, including the planning, acquisition, development, conservation, and restoration of lands in state vehicular recreation areas. Existing law establishes the Off-Highway Vehicle Trust Fund to be the repository of certain moneys, including fees received by the department for the use of state vehicular recreation areas. Existing law requires the revenues in the fund to be available, upon appropriation, for grants and cooperative agreements, as specified, the support of the division, and the planning, acquisition, development, mitigation, construction, maintenance, administration, operation, restoration, and conservation of lands in state vehicular recreation areas and certain other areas.

This bill would authorize the department to dispose of the portion of the Carnegie State Vehicular Recreation Area known as the “Alameda-Tesla Expansion Area” to permanently preserve that land for conservation purposes, as specified, if the department determines that disposing of the land is in the public interest. The bill would authorize the Director of General Services to transfer the land to a local agency *or nonprofit organization* for less than fair market value if the local agency *or nonprofit organization* agrees to use the land as a park or for another open-space ~~purpose and would require the property interest to revert from the local agency to the state if the land is used for a different purpose during the 25 years after the transfer date.~~ *purpose*. The bill would require any revenue from the disposition of the land to be deposited in the fund for the purchase of land for off-highway vehicle recreation by the department.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5090.42 is added to the Public Resources
2 Code, to read:
3 5090.42. (a) Notwithstanding Sections 11011 and 11011.1 of
4 the Government Code, the department may dispose of the portion
5 of the Carnegie State Vehicular Recreation Area known as the
6 “Alameda-Tesla Expansion Area,” which encompasses
7 approximately 3,100 acres in the County of Alameda, to
8 permanently preserve that land for conservation purposes by sale
9 of a perpetual recorded conservation easement deed restriction or
10 fee title, if the department, after holding public hearings on the
11 matter and in consultation with stakeholders, determines that
12 disposing of the land is in the public interest.
13 (b) (1) If the department determines that disposing of the land
14 is in the public interest, the Department of General Services may
15 sell the land or otherwise dispose of the land pursuant to this
16 authorization upon any terms and conditions and subject to any
17 reservations and exceptions that the Department of General
18 Services deems to be in the best interests of the state.
19 (2) The Director of General Services may transfer the land to a
20 local agency *or nonprofit organization* for less than fair market
21 value if the local agency *or nonprofit organization* agrees to use

1 the land as a park or for another open-space purpose, in which case
2 the deed or other instrument of transfer shall provide that the
3 property interest would revert from the local agency to the state if
4 the land is used for a purpose other than as a park or another
5 open-space purpose during the 25 years after the transfer date.
6 *purpose.*

7 (3) For purposes of this subdivision, “open-space purpose”
8 means a use of the land’s natural resources that is consistent with
9 a conservation purpose, including preservation of native biological
10 diversity, wildlife habitats, and cultural resources, enjoyment of
11 scenic beauty, and nonmotorized public recreation.

12 (c) Any revenue from the disposition of the land shall be
13 deposited in the fund for the purchase, by the department, of land
14 for off-highway vehicle recreation.

ASSEMBLY BILL

No. 1874

Introduced by Assembly Member Voepel

(Coauthors: Assembly Members Lackey, Acosta, Fong, Harper, and Mathis)

(Coauthors: Senators Nielsen, Berryhill, and Wilk)

January 16, 2018

An act to amend Section 8352.6 of the Revenue and Taxation Code, relating to fuel taxes.

LEGISLATIVE COUNSEL'S DIGEST

AB 1874, as introduced, Voepel. Fuel taxes: Off-Highway Vehicle Trust Fund.

Existing law imposes an excise tax on motor vehicle fuel (gasoline) and requires these taxes to be deposited in the Motor Vehicle Fuel Account. Existing law requires the moneys attributable to the excise tax on gasoline related to specified off-highway motor vehicles and off-highway vehicle activities to be transferred monthly from the Motor Vehicle Fuel Account to the Off-Highway Vehicle Trust Fund. With respect to the portion of those moneys attributable to an increase in the excise tax as a result of the elimination of the sales tax on gasoline effective July 1, 2010, existing law instead requires those moneys to be transferred to the General Fund. With respect to the portion of those moneys from a \$0.12 per gallon increase in the excise tax commencing November 1, 2017, and future inflation adjustments from that increase, existing law instead requires those funds to be transferred to the State Parks and Recreation Fund, to be used for state parks, off-highway vehicle programs, or boating programs. Existing law also requires the Controller to withhold \$833,000 from the monthly transfer to the Off

Highway Vehicle Trust Fund, and transfer that amount to the General Fund.

This bill would, on June 30, 2019, eliminate the requirement that the Controller withhold \$833,000 from the monthly transfer to the Off-Highway Vehicle Trust Fund and transfer that amount to the General Fund. The bill would thereby transfer this amount monthly to the Off-Highway Vehicle Trust Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8352.6 of the Revenue and Taxation
2 Code is amended to read:

3 8352.6. (a) (1) Subject to Section 8352.1, and except as
4 otherwise provided in paragraphs (2) and (3), on the first day of
5 every month, there shall be transferred from moneys deposited to
6 the credit of the Motor Vehicle Fuel Account to the Off-Highway
7 Vehicle Trust Fund created by Section 38225 of the Vehicle Code
8 an amount attributable to taxes imposed upon distributions of motor
9 vehicle fuel used in the operation of motor vehicles off highway
10 and for which a refund has not been claimed. Transfers made
11 pursuant to this section shall be made prior to transfers pursuant
12 to Section 8352.2.

13 (2) (A) Commencing July 1, 2012, the revenues attributable to
14 the taxes imposed pursuant to subdivision (b) of Section 7360 and
15 otherwise to be deposited in the Off-Highway Vehicle Trust Fund
16 pursuant to paragraph (1) shall instead be transferred to the General
17 Fund.

18 (B) Commencing November 1, 2017, the revenues attributable
19 to the taxes imposed pursuant to subdivision (c) of Section 7360,
20 any adjustment pursuant to subdivision (d) of Section 7360, and
21 Section 7361.2, and otherwise to be deposited in the Off-Highway
22 Vehicle Trust Fund pursuant to subdivision (a), shall instead be
23 transferred to the State Parks and Recreation Fund to be used for
24 state parks, off-highway vehicle programs, or boating programs.

25 (3) ~~The~~ *Until June 30, 2019, the* Controller shall withhold eight
26 hundred thirty-three thousand dollars (\$833,000) from the monthly
27 transfer to the Off-Highway Vehicle Trust Fund pursuant to
28 paragraph (1), and transfer that amount to the General Fund.

1 (b) The amount transferred to the Off-Highway Vehicle Trust
2 Fund pursuant to paragraph (1) of subdivision (a), as a percentage
3 of the Motor Vehicle Fuel Account, shall be equal to the percentage
4 transferred in the 2006–07 fiscal year. Every five years, starting
5 in the 2013–14 fiscal year, the percentage transferred may be
6 adjusted by the Department of Transportation in cooperation with
7 the Department of Parks and Recreation and the Department of
8 Motor Vehicles. Adjustments shall be based on, but not limited
9 to, the changes in the following factors since the 2006–07 fiscal
10 year or the last adjustment, whichever is more recent:

11 (1) The number of vehicles registered as off-highway motor
12 vehicles as required by Division 16.5 (commencing with Section
13 38000) of the Vehicle Code.

14 (2) The number of registered street-legal vehicles that are
15 anticipated to be used off highway, including four-wheel drive
16 vehicles, all-wheel drive vehicles, and dual-sport motorcycles.

17 (3) Attendance at the state vehicular recreation areas.

18 (4) Off-highway recreation use on federal lands as indicated by
19 the United States Forest Service’s National Visitor Use Monitoring
20 and the United States Bureau of Land Management’s Recreation
21 Management Information System.

22 (c) It is the intent of the Legislature that transfers from the Motor
23 Vehicle Fuel Account to the Off-Highway Vehicle Trust Fund
24 should reflect the full range of motorized vehicle use off highway
25 for both motorized recreation and motorized off-road access to
26 other recreation opportunities. Therefore, the Legislature finds that
27 the fuel tax baseline established in subdivision (b), attributable to
28 off-highway estimates of use as of the 2006–07 fiscal year,
29 accounts for the three categories of vehicles that have been found
30 over the years to be users of fuel for off-highway motorized
31 recreation or motorized access to nonmotorized recreational
32 pursuits. These three categories are registered off-highway
33 motorized vehicles, registered street-legal motorized vehicles used
34 off highway, and unregistered off-highway motorized vehicles.

35 (d) It is the intent of the Legislature that the off-highway motor
36 vehicle recreational use to be determined by the Department of
37 Transportation pursuant to paragraph (2) of subdivision (b) be that
38 usage by vehicles subject to registration under Division 3
39 (commencing with Section 4000) of the Vehicle Code, for
40 recreation or the pursuit of recreation on surfaces where the use

1 of vehicles registered under Division 16.5 (commencing with
2 Section 38000) of the Vehicle Code may occur.

3 (e) In the 2014–15 fiscal year, the Department of Transportation,
4 in consultation with the Department of Parks and Recreation and
5 the Department of Motor Vehicles, shall undertake a study to
6 determine the appropriate adjustment to the amount transferred
7 pursuant to subdivision (b) and to update the estimate of the amount
8 attributable to taxes imposed upon distributions of motor vehicle
9 fuel used in the operation of motor vehicles off highway and for
10 which a refund has not been claimed. The department shall provide
11 a copy of this study to the Legislature no later than January 1,
12 2016.

13

14

15 **REVISIONS:**

16 **Heading—Lines 2 and 3.**

17

115TH CONGRESS
1ST SESSION

S. 32

To provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 5, 2017

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, 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 “California Desert Protection and Recreation Act of
6 2017”.

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

Sec. 1. Short title; table of contents.

TITLE I—CALIFORNIA DESERT CONSERVATION AND RECREATION

- Sec. 101. California Desert conservation and recreation.
 Sec. 102. Visitor center.
 Sec. 103. California State school land.
 Sec. 104. Designation of wild and scenic rivers.
 Sec. 105. Conforming amendments.

TITLE II—DEVELOPMENT OF RENEWABLE ENERGY ON PUBLIC LAND

- Sec. 201. Definitions.
 Sec. 202. Disposition of revenues.

1 **TITLE I—CALIFORNIA DESERT**
 2 **CONSERVATION AND RECRE-**
 3 **ATION**

4 **SEC. 101. CALIFORNIA DESERT CONSERVATION AND**
 5 **RECREATION.**

6 (a) IN GENERAL.—Public Law 103–433 (16 U.S.C.
 7 410aaa et seq.) is amended by adding at the end the fol-
 8 lowing:

9 **“TITLE XIII—WILDERNESS**

10 **“SEC. 1301. DESIGNATION OF WILDERNESS AREAS.**

11 “(a) DESIGNATION OF WILDERNESS AREAS TO BE
 12 ADMINISTERED BY THE BUREAU OF LAND MANAGE-
 13 MENT.—In accordance with the Wilderness Act (16 U.S.C.
 14 1131 et seq.) and sections 601 and 603 of the Federal
 15 Land Policy and Management Act of 1976 (43 U.S.C.
 16 1781, 1782), the following land in the State is designated
 17 as wilderness areas and as components of the National
 18 Wilderness Preservation System:

1 “(1) AVAWATZ MOUNTAINS WILDERNESS.—Cer-
2 tain land in the Conservation Area administered by
3 the Director of the Bureau of Land Management,
4 comprising approximately 87,700 acres, as generally
5 depicted on the map entitled ‘Avawatz Mountains
6 Proposed Wilderness’ and dated September 9, 2014,
7 to be known as the ‘Avawatz Mountains Wilderness’.

8 “(2) GOLDEN VALLEY WILDERNESS.—Certain
9 land in the Conservation Area administered by the
10 Director of the Bureau of Land Management, com-
11 prising approximately 1,250 acres, as generally de-
12 picted on the map entitled ‘Golden Valley Proposed
13 Wilderness Additions’ and dated February 20, 2016,
14 which shall be considered to be part of the ‘Golden
15 Valley Wilderness’.

16 “(3) GREAT FALLS BASIN WILDERNESS.—

17 “(A) IN GENERAL.—Certain land in the
18 Conservation Area administered by the Director
19 of the Bureau of Land Management, com-
20 prising approximately 7,870 acres, as generally
21 depicted on the map entitled ‘Great Falls Basin
22 Proposed Wilderness’ and dated October 26,
23 2009, to be known as the ‘Great Falls Basin
24 Wilderness’.

1 “(B) LIMITATIONS.—Designation of the
2 wilderness under subparagraph (A) shall not es-
3 tablish a Class I Airshed under the Clean Air
4 Act (42 U.S.C. 7401 et seq.).

5 “(4) KINGSTON RANGE WILDERNESS.—Certain
6 land in the Conservation Area administered by the
7 Bureau of Land Management, comprising approxi-
8 mately 53,320 acres, as generally depicted on the
9 map entitled ‘Kingston Range Proposed Wilderness
10 Additions’ and dated July 15, 2009, which shall be
11 considered to be a part of the ‘Kingston Range Wil-
12 derness’.

13 “(5) SODA MOUNTAINS WILDERNESS.—Certain
14 land in the Conservation Area, administered by the
15 Bureau of Land Management, comprising approxi-
16 mately 79,990 acres, as generally depicted on the
17 map entitled ‘Soda Mountains Proposed Wilderness’
18 and dated September 12, 2014, to be known as the
19 ‘Soda Mountains Wilderness’.

20 “(b) DESIGNATION OF WILDERNESS AREAS TO BE
21 ADMINISTERED BY THE NATIONAL PARK SERVICE.—In
22 accordance with the Wilderness Act (16 U.S.C. 1131 et
23 seq.) and sections 601 and 603 of the Federal Land Policy
24 and Management Act of 1976 (43 U.S.C. 1781, 1782),
25 the following land in the State is designated as wilderness

1 areas and as components of the National Wilderness Pres-
2 ervation System:

3 “(1) DEATH VALLEY NATIONAL PARK WILDER-
4 NESS ADDITIONS-NORTH EUREKA VALLEY.—Certain
5 land in the Conservation Area administered by the
6 Director of the National Park Service, comprising
7 approximately 11,496 acres, as generally depicted on
8 the map entitled ‘Death Valley National Park Pro-
9 posed Wilderness Area-North Eureka Valley’, num-
10 bered 143/100,082C, and dated October 7, 2014,
11 which shall be considered to be a part of the Death
12 Valley National Park Wilderness.

13 “(2) DEATH VALLEY NATIONAL PARK WILDER-
14 NESS ADDITIONS-IBEX.—Certain land in the Con-
15 servation Area administered by the Director of the
16 National Park Service, comprising approximately
17 23,650 acres, as generally depicted on the map enti-
18 tled ‘Death Valley National Park Proposed Wilder-
19 ness Area-Ibex’, numbered 143/100,081C, and dated
20 October 7, 2014, which shall be considered to be a
21 part of the Death Valley National Park Wilderness.

22 “(3) DEATH VALLEY NATIONAL PARK WILDER-
23 NESS ADDITIONS-PANAMINT VALLEY.—Certain land
24 in the Conservation Area administered by the Direc-
25 tor of the National Park Service, comprising ap-

1 proximately 4,807 acres, as generally depicted on the
2 map entitled ‘Death Valley National Park Proposed
3 Wilderness Area-Panamint Valley’, numbered 143/
4 100,083C, and dated October 7, 2014, which shall
5 be considered to be a part of the Death Valley Na-
6 tional Park Wilderness.

7 “(4) DEATH VALLEY NATIONAL PARK WILDER-
8 NESS ADDITIONS-WARM SPRINGS.—Certain land in
9 the Conservation Area administered by the Director
10 of the National Park Service, comprising approxi-
11 mately 10,485 acres, as generally depicted on the
12 map entitled ‘Death Valley National Park Proposed
13 Wilderness Area-Warm Spring Canyon/Galena Can-
14 yon’, numbered 143/100,084C, and dated October 7,
15 2014, which shall be considered to be a part of the
16 Death Valley National Park Wilderness.

17 “(5) DEATH VALLEY NATIONAL PARK WILDER-
18 NESS ADDITIONS-AXE HEAD.—Certain land in the
19 Conservation Area administered by the Director of
20 the National Park Service, comprising approximately
21 8,638 acres, as generally depicted on the map enti-
22 tled ‘Death Valley National Park Proposed Wilder-
23 ness Area-Axe Head’, numbered 143/100,085C, and
24 dated October 7, 2014, which shall be considered to

1 be a part of the Death Valley National Park Wilder-
2 ness.

3 “(6) DEATH VALLEY NATIONAL PARK WILDER-
4 NESS ADDITIONS-BOWLING ALLEY.—Certain land in
5 the Conservation Area administered by the Director
6 of the Bureau of Land Management, comprising ap-
7 proximately 32,520 acres, as generally depicted on
8 the map entitled ‘Death Valley National Park Pro-
9 posed Wilderness Area-Bowling Alley’, numbered
10 143/100,086C, and dated October 7, 2014, which
11 shall be considered to be a part of the Death Valley
12 National Park Wilderness.

13 “(c) DESIGNATION OF WILDERNESS AREA TO BE
14 ADMINISTERED BY THE FOREST SERVICE.—

15 “(1) IN GENERAL.—In accordance with the Wil-
16 derness Act (16 U.S.C. 1131 et seq.), the land in
17 the State described in paragraph (2) is designated
18 as a wilderness area and as a component of the Na-
19 tional Wilderness Preservation System.

20 “(2) DESCRIPTION OF LAND.—The land re-
21 ferred to in paragraph (1) is certain land in the San
22 Bernardino National Forest, comprising approxi-
23 mately 7,141 acres, as generally depicted on the
24 map entitled ‘Proposed Sand to Snow National
25 Monument’ and dated August 29, 2014, which shall

1 considered to be a part of the San Gorgonio Wilder-
2 ness.

3 “(3) FIRE MANAGEMENT AND RELATED ACTIVI-
4 TIES.—

5 “(A) IN GENERAL.—The Secretary may
6 carry out such activities in the wilderness area
7 designated by paragraph (1) as are necessary
8 for the control of fire, insects, and disease, in
9 accordance with section 4(d)(1) of the Wilder-
10 ness Act (16 U.S.C. 1133(d)(1)) and House
11 Report 98–40 of the 98th Congress.

12 “(B) FUNDING PRIORITIES.—Nothing in
13 this subsection limits the provision of any fund-
14 ing for fire or fuel management in the wilder-
15 ness area designated by paragraph (1).

16 “(C) REVISION AND DEVELOPMENT OF
17 LOCAL FIRE MANAGEMENT PLANS.—As soon as
18 practicable after the date of enactment of this
19 title, the Secretary shall amend the local fire
20 management plans that apply to the wilderness
21 area designated by paragraph (1).

22 “(D) ADMINISTRATION.—In accordance
23 with subparagraph (A) and other applicable
24 Federal law, to ensure a timely and efficient re-
25 sponse to fire emergencies in the wilderness

1 area designated by paragraph (1), the Secretary
2 shall—

3 “(i) not later than 1 year after the
4 date of enactment of this title, establish
5 agency approval procedures (including ap-
6 propriate delegations of authority to the
7 Forest Supervisor, District Manager, or
8 other agency officials) for responding to
9 fire emergencies in the wilderness area des-
10 ignated by paragraph (1); and

11 “(ii) enter into agreements with ap-
12 propriate State or local firefighting agen-
13 cies relating to that wilderness area.

14 **“SEC. 1302. MANAGEMENT.**

15 “(a) **ADJACENT MANAGEMENT.**—

16 “(1) **IN GENERAL.**—Nothing in this title creates
17 any protective perimeter or buffer zone around the
18 wilderness areas designated by section 1301.

19 “(2) **ACTIVITIES OUTSIDE WILDERNESS**
20 **AREAS.**—

21 “(A) **IN GENERAL.**—The fact that an ac-
22 tivity (including military activities) or use on
23 land outside a wilderness area designated by
24 section 1301 can be seen or heard within the
25 wilderness area shall not preclude or restrict

1 the activity or use outside the boundary of the
2 wilderness area.

3 “(B) EFFECT ON NONWILDERNESS ACTIVI-
4 TIES.—

5 “(i) IN GENERAL.—In any permitting
6 proceeding (including a review under the
7 National Environmental Policy Act of
8 1969 (42 U.S.C. 4321 et seq.)) conducted
9 with respect to a project described in
10 clause (ii) that is formally initiated
11 through a notice in the Federal Register
12 before December 31, 2013, the consider-
13 ation of any visual, noise, or other impacts
14 of the project on a wilderness area des-
15 igned by section 1301 shall be conducted
16 based on the status of the area before des-
17 igation as wilderness.

18 “(ii) DESCRIPTION OF PROJECTS.—A
19 project referred to in clause (i) is a renew-
20 able energy project or associated energy
21 transport facility project—

22 “(I) for which the Bureau of
23 Land Management has received a
24 right-of-way use application on or be-

1 fore the date of enactment of this
2 title; and

3 “(II) that is located outside the
4 boundary of a wilderness area des-
5 ignated by section 1301.

6 “(3) NO ADDITIONAL REGULATION.—Nothing
7 in this title requires additional regulation of activi-
8 ties on land outside the boundary of the wilderness
9 areas.

10 “(4) EFFECT ON MILITARY OPERATIONS.—
11 Nothing in this title alters any authority of the Sec-
12 retary of Defense to conduct any military operations
13 at desert installations, facilities, and ranges of the
14 State that are authorized under any other provision
15 of law.

16 “(5) EFFECT ON UTILITY FACILITIES AND
17 RIGHTS-OF-WAY.—

18 “(A) IN GENERAL.—Subject to paragraph
19 (2), nothing in this title terminates or precludes
20 the renewal or reauthorization of any valid ex-
21 isting right-of-way or customary operation,
22 maintenance, repair, upgrading, or replacement
23 activities in a right-of-way, issued, granted, or
24 permitted to the Southern California Edison
25 Company or predecessors, successors, or assigns

1 of the Southern California Edison Company
2 that is located on land included in the San
3 Gorgonio Wilderness Area or the Sand to Snow
4 National Monument.

5 “(B) LIMITATION.—The activities de-
6 scribed in subparagraph (A) shall be conducted
7 in a manner that minimizes the impact of the
8 activities resources of the San Gorgonio Wilder-
9 ness Area or the Sand to Snow National Monu-
10 ment.

11 “(C) APPLICABLE LAW.—In accordance
12 with the National Environmental Policy Act of
13 1969 (42 U.S.C. 4321 et seq.), any approval re-
14 quired for an increase in the voltage of the
15 Coachella distribution circuit shall require con-
16 sideration of alternative alignments, including
17 alignments adjacent to State Route 62.

18 “(b) MAPS; LEGAL DESCRIPTIONS.—

19 “(1) IN GENERAL.—As soon as practicable
20 after the date of enactment of this title, the Sec-
21 retary shall file a map and legal description of each
22 wilderness area and wilderness addition designated
23 by section 1301 with—

24 “(A) the Committee on Natural Resources
25 of the House of Representatives; and

1 “(B) the Committee on Energy and Nat-
2 ural Resources of the Senate.

3 “(2) FORCE OF LAW.—A map and legal de-
4 scription filed under paragraph (1) shall have the
5 same force and effect as if included in this title, ex-
6 cept that the Secretary may correct errors in the
7 maps and legal descriptions.

8 “(3) PUBLIC AVAILABILITY.—Each map and
9 legal description filed under paragraph (1) shall be
10 filed and made available for public inspection in the
11 appropriate office of the Secretary.

12 “(c) ADMINISTRATION.—Subject to valid existing
13 rights, the land designated as wilderness or as a wilder-
14 ness addition by section 1301 shall be administered by the
15 Secretary in accordance with this Act and the Wilderness
16 Act (16 U.S.C. 1131 et seq.), except that any reference
17 in that Act to the effective date shall be considered to be
18 a reference to the date of enactment of this title.

19 **“SEC. 1303. RELEASE OF WILDERNESS STUDY AREAS.**

20 “(a) FINDING.—Congress finds that, for purposes of
21 section 603 of the Federal Land Policy and Management
22 Act of 1976 (43 U.S.C. 1782), any portion of a wilderness
23 study area described in subsection (b) that is not des-
24 ignated as a wilderness area or wilderness addition by sec-
25 tion 1301 or any other Act enacted before the date of en-

1 actment of this title has been adequately studied for wil-
2 derness.

3 “(b) DESCRIPTION OF STUDY AREAS.—The study
4 areas referred to in subsection (a) are—

5 “(1) the Cady Mountains Wilderness Study
6 Area;

7 “(2) the Kingston Range Wilderness Study
8 Area;

9 “(3) the Avawatz Mountain Wilderness Study
10 Area;

11 “(4) the Death Valley National Park Boundary
12 and Wilderness 17 Wilderness Study Area;

13 “(5) the Great Falls Basin Wilderness Study
14 Area; and

15 “(6) the Soda Mountains Wilderness Study
16 Area.

17 “(c) RELEASE.—Any portion of a wilderness study
18 area described in subsection (b) that is not designated as
19 a wilderness area or wilderness addition by section 1301
20 is no longer subject to section 603(c) of the Federal Land
21 Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

22 **“SEC. 1304. TREATMENT OF CHERRY-STEMMED ROADS.**

23 “(a) DEFINITION OF CHERRY-STEMMED ROAD.—In
24 this section, the term ‘cherry-stemmed road’ means a road

1 or trail, as generally depicted on the maps described in
2 section 1301, that is—

3 “(1) excluded from a wilderness area or wilder-
4 ness addition designated by that section; and

5 “(2) within a nonwilderness corridor having
6 designated wilderness on both sides.

7 “(b) PROHIBITION ON CLOSURE OR TRAVEL RE-
8 STRICTIONS ON CHERRY-STEMMED ROADS.—The Sec-
9 retary shall not—

10 “(1) close any cherry-stemmed road that is
11 open to the public as of the date of enactment of
12 this title;

13 “(2) prohibit motorized access on a cherry-
14 stemmed road that is open to the public for motor-
15 ized access as of the date of enactment of this title;
16 or

17 “(3) prohibit mechanized access on a cherry-
18 stemmed road that is open to the public for mecha-
19 nized access as of the date of enactment of this title.

20 “(c) RESOURCE PROTECTION OR PUBLIC SAFETY
21 EXCEPTIONS.—Subsection (b) shall not apply to a cherry-
22 stemmed road if the Secretary determines that a closure
23 or traffic restriction of the cherry-stemmed road is nec-
24 essary for purposes of significant resource protection or
25 public safety.

1 **“TITLE XIV—DESIGNATION OF**
 2 **SPECIAL MANAGEMENT AREA**

3 **“SEC. 1401. DEFINITIONS.**

4 “In this title:

5 “(1) MANAGEMENT AREA.—The term ‘Manage-
 6 ment Area’ means the Vinagre Wash Special Man-
 7 agement Area.

8 “(2) MAP.—The term ‘map’ means the map en-
 9 titled ‘Vinagre Wash Proposed Special Management
 10 Area’ and dated November 10, 2009.

11 “(3) PUBLIC LAND.—The term ‘public land’
 12 has the meaning given the term ‘public lands’ in sec-
 13 tion 103 of the Federal Land Policy and Manage-
 14 ment Act of 1976 (43 U.S.C. 1702).

15 “(4) SECRETARY.—The term ‘Secretary’ means
 16 the Secretary of the Interior.

17 **“SEC. 1402. VINAGRE WASH SPECIAL MANAGEMENT AREA.**

18 “(a) ESTABLISHMENT.—There is established the
 19 Vinagre Wash Special Management Area in the State, to
 20 be managed by the El Centro Field Office and the Yuma
 21 Field Office of the Bureau of Land Management.

22 “(b) PURPOSE.—The purpose of the Management
 23 Area is to conserve, protect, and enhance—

24 “(1) the plant and wildlife values of the Man-
 25 agement Area; and

1 “(2) the outstanding and nationally significant
2 ecological, geological, scenic, recreational, archae-
3 ological, cultural, historic, and other resources of the
4 Management Area.

5 “(c) BOUNDARIES.—The Management Area shall
6 consist of the public land in Imperial County, California,
7 comprising approximately 81,880 acres, as generally de-
8 picted on the map.

9 “(d) MAP; LEGAL DESCRIPTION.—

10 “(1) IN GENERAL.—As soon as practicable, but
11 not later than 3 years, after the date of enactment
12 of this title, the Secretary shall submit a map and
13 legal description of the Management Area to—

14 “(A) the Committee on Natural Resources
15 of the House of Representatives; and

16 “(B) the Committee on Energy and Nat-
17 ural Resources of the Senate.

18 “(2) EFFECT.—The map and legal description
19 submitted under paragraph (1) shall have the same
20 force and effect as if included in this title, except
21 that the Secretary may correct any errors in the
22 map and legal description.

23 “(3) AVAILABILITY.—Copies of the map sub-
24 mitted under paragraph (1) shall be on file and
25 available for public inspection in—

1 “(A) the Office of the Director of the Bu-
2 reau of Land Management; and

3 “(B) the appropriate office of the Bureau
4 of Land Management in the State.

5 **“SEC. 1403. MANAGEMENT.**

6 “(a) IN GENERAL.—The Secretary shall allow hiking,
7 camping, hunting, and sightseeing and the use of motor-
8 ized vehicles, mountain bikes, and horses on designated
9 routes in the Management Area in a manner that—

10 “(1) is consistent with the purpose of the Man-
11 agement Area described in section 1402(b);

12 “(2) ensures public health and safety; and

13 “(3) is consistent with all applicable laws (in-
14 cluding regulations) and the Desert Renewable En-
15 ergy Conservation Plan.

16 “(b) OFF-HIGHWAY VEHICLE USE.—

17 “(1) IN GENERAL.—Subject to paragraphs (2)
18 and (3) and all other applicable laws, the use of off-
19 highway vehicles shall be permitted on routes in the
20 Management Area generally depicted on the map.

21 “(2) CLOSURE.—The Secretary may tempo-
22 rarily close or permanently reroute a portion of a
23 route described in paragraph (1)—

24 “(A) to prevent, or allow for restoration of,
25 resource damage;

1 “(B) to protect tribal cultural resources,
2 including the resources identified in the tribal
3 cultural resources management plan developed
4 under section 1805(c);

5 “(C) to address public safety concerns; or

6 “(D) as otherwise required by law.

7 “(3) DESIGNATION OF ADDITIONAL ROUTES.—
8 During the 3-year period beginning on the date of
9 enactment of this title, the Secretary—

10 “(A) shall accept petitions from the public
11 regarding additional routes for off-highway ve-
12 hicles; and

13 “(B) may designate additional routes that
14 the Secretary determines—

15 “(i) would provide significant or
16 unique recreational opportunities; and

17 “(ii) are consistent with the purposes
18 of the Management Area.

19 “(c) WITHDRAWAL.—Subject to valid existing rights,
20 all Federal land within the Management Area is with-
21 drawn from—

22 “(1) all forms of entry, appropriation, or dis-
23 posal under the public land laws;

24 “(2) location, entry, and patent under the min-
25 ing laws; and

1 “(3) right-of-way, leasing, or disposition under
2 all laws relating to—

3 “(A) minerals; or

4 “(B) solar, wind, and geothermal energy.

5 “(d) NO BUFFERS.—The establishment of the Man-
6 agement Area shall not—

7 “(1) create a protective perimeter or buffer
8 zone around the Management Area; or

9 “(2) preclude uses or activities outside the
10 Management Area that are permitted under other
11 applicable laws, even if the uses or activities are pro-
12 hibited within the Management Area.

13 “(e) NOTICE OF AVAILABLE ROUTES.—The Sec-
14 retary shall ensure that visitors to the Management Area
15 have access to adequate notice relating to the availability
16 of designated routes in the Management Area through—

17 “(1) the placement of appropriate signage along
18 the designated routes;

19 “(2) the distribution of maps, safety education
20 materials, and other information that the Secretary
21 determines to be appropriate; and

22 “(3) restoration of areas that are not des-
23 igned as open routes, including vertical mulching.

24 “(f) STEWARDSHIP.—The Secretary, in consultation
25 with Indian tribes and other interests, shall develop a pro-

1 gram to provide opportunities for monitoring and steward-
 2 ship of the Management Area to minimize environmental
 3 impacts and prevent resource damage from recreational
 4 use, including volunteer assistance with—

5 “(1) route signage;

6 “(2) restoration of closed routes;

7 “(3) protection of Management Area resources;

8 and

9 “(4) recreation education.

10 “(g) PROTECTION OF TRIBAL CULTURAL RE-
 11 SOURCES.—Not later than 2 years after the date of enact-
 12 ment of this title, the Secretary, in accordance with chap-
 13 ter 2003 of title 54, United States Code, and any other
 14 applicable law, shall—

15 “(1) prepare and complete a tribal cultural re-
 16 sources survey of the Management Area; and

17 “(2) consult with the Quechan Indian Nation
 18 and other Indian tribes demonstrating ancestral, cul-
 19 tural, or other ties to the resources within the Man-
 20 agement Area on the development and implementa-
 21 tion of the tribal cultural resources survey under
 22 paragraph (1).

23 **“SEC. 1404. POTENTIAL WILDERNESS.**

24 “(a) PROTECTION OF WILDERNESS CHARACTER.—

1 “(1) IN GENERAL.—The Secretary shall man-
2 age the Federal land in the Management Area de-
3 scribed in paragraph (2) in a manner that preserves
4 the character of the land for the eventual inclusion
5 of the land in the National Wilderness Preservation
6 System.

7 “(2) DESCRIPTION OF LAND.—The Federal
8 land described in this paragraph is—

9 “(A) the approximately 10,860 acres of
10 land, as generally depicted as the Indian Pass
11 Additions on the map entitled ‘Vinagre Wash
12 Proposed Special Management Area’ and dated
13 November 10, 2009;

14 “(B) the approximately 17,250 acres of
15 land, as generally depicted as Milpitas Wash
16 Potential Wilderness on the map entitled
17 ‘Vinagre Wash Proposed Special Management
18 Area’ and dated November 10, 2009;

19 “(C) the approximately 11,840 acres of
20 land, as generally depicted as Buzzards Peak
21 Potential Wilderness on the map entitled
22 ‘Vinagre Wash Proposed Special Management
23 Area’ and dated November 10, 2009; and

24 “(D) the approximately 9,350 acres of
25 land, as generally depicted as Palo Verde

1 Mountains Potential Wilderness on the map en-
2 titled ‘Vinagre Wash Proposed Special Manage-
3 ment Area’ and dated November 10, 2009.

4 “(3) USE OF LAND.—

5 “(A) MILITARY USES.—The Secretary
6 shall manage the Federal land in the Manage-
7 ment Area described in paragraph (2) in a
8 manner that is consistent with the Wilderness
9 Act (16 U.S.C. 1131 et seq.), except that the
10 Secretary may authorize use of the land by the
11 Secretary of the Navy for Naval Special War-
12 fare Tactical Training, including long-range
13 small unit training and navigation, vehicle con-
14 cealment, and vehicle sustainment training, in
15 accordance with applicable Federal laws.

16 “(B) PROHIBITED USES.—The following
17 shall be prohibited on the Federal land de-
18 scribed in paragraph (2):

19 “(i) Permanent roads.

20 “(ii) Commercial enterprises.

21 “(iii) Except as necessary to meet the
22 minimum requirements for the administra-
23 tion of the Federal land and to protect
24 public health and safety—

1 “(I) the use of mechanized vehi-
2 cles; and

3 “(II) the establishment of tem-
4 porary roads.

5 “(4) WILDERNESS DESIGNATION.—

6 “(A) IN GENERAL.—The Federal land de-
7 scribed in paragraph (2) shall be designated as
8 wilderness and as a component of the National
9 Wilderness Preservation System on the date on
10 which the Secretary, in consultation with the
11 Secretary of Defense, publishes a notice in the
12 Federal Register that all activities on the Fed-
13 eral land that are incompatible with the Wilder-
14 ness Act (16 U.S.C. 1131 et seq.) have termi-
15 nated.

16 “(B) DESIGNATION.—On designation of
17 the Federal land under clause (i)—

18 “(i) the land described in paragraph
19 (2)(A) shall be incorporated in, and shall
20 be considered to be a part of, the Indian
21 Pass Wilderness;

22 “(ii) the land described in paragraph
23 (2)(B) shall be designated as the ‘Milpitas
24 Wash Wilderness’;

1 “(iii) the land described in paragraph
2 (2)(C) shall be designated as the ‘Buzzard
3 Peak Wilderness’; and

4 “(iv) the land described in paragraph
5 (2)(D) shall be incorporated in, and shall
6 be considered to be a part of, the Palo
7 Verde Mountains Wilderness.

8 “(b) ADMINISTRATION OF WILDERNESS.—Subject to
9 valid existing rights, the land designated as wilderness or
10 as a wilderness addition by this title shall be administered
11 by the Secretary in accordance with this Act and the Wil-
12 derness Act (16 U.S.C. 1131 et seq.).

13 **“TITLE XV—NATIONAL PARK**
14 **SYSTEM ADDITIONS**

15 **“SEC. 1501. DEATH VALLEY NATIONAL PARK BOUNDARY RE-**
16 **VISION.**

17 “(a) IN GENERAL.—The boundary of Death Valley
18 National Park is adjusted to include—

19 “(1) the approximately 33,000 acres of Bureau
20 of Land Management land in Inyo County, Cali-
21 fornia, abutting the southern end of the Death Val-
22 ley National Park that lies between Death Valley
23 National Park to the north and Ft. Irwin Military
24 Reservation to the south and which runs approxi-
25 mately 34 miles from west to east, as depicted on

1 the map entitled ‘Death Valley National Park Pro-
2 posed Boundary Addition-Bowling Alley’, numbered
3 143/100,080C, and dated October 7, 2014; and

4 “(2) the approximately 6,369 acres of Bureau
5 of Land Management land in Inyo County, Cali-
6 fornia, located in the northeast area of Death Valley
7 National Park that is within, and surrounded by,
8 land under the jurisdiction of the Director of the
9 National Park Service, as depicted on the map enti-
10 tled ‘Death Valley National Park Proposed Bound-
11 ary Addition-Crater’, numbered 143/100,079C, and
12 dated October 7, 2014.

13 “(b) AVAILABILITY OF MAP.—The maps described in
14 paragraphs (1) and (2) of subsection (a) shall be on file
15 and available for public inspection in the appropriate of-
16 fices of the National Park Service.

17 “(c) ADMINISTRATION.—The Secretary of the Inte-
18 rior (referred to in this title as the ‘Secretary’) shall—

19 “(1) administer any land added to Death Valley
20 National Park under subsection (a)—

21 “(A) as part of Death Valley National
22 Park; and

23 “(B) in accordance with applicable laws
24 (including regulations); and

1 “(2) not later than 180 days after the date of
 2 enactment of this title, develop a memorandum of
 3 understanding with Inyo County, California, permit-
 4 ting ongoing access and use to existing gravel pits
 5 along Saline Valley Road within Death Valley Na-
 6 tional Park for road maintenance and repairs in ac-
 7 cordance with applicable laws (including regula-
 8 tions).

9 **“SEC. 1502. MOJAVE NATIONAL PRESERVE.**

10 “The boundary of the Mojave National Preserve is
 11 adjusted to include the 25 acres of Bureau of Land Man-
 12 agement land in Baker, California, as depicted on the map
 13 entitled ‘Mojave National Preserve Proposed Boundary
 14 Addition’, numbered 170/100,199, and dated August
 15 2009.

16 **“SEC. 1503. JOSHUA TREE NATIONAL PARK BOUNDARY RE-**
 17 **VISION.**

18 “(a) IN GENERAL.—The boundary of the Joshua
 19 Tree National Park is adjusted to include—

20 “(1) the 2,879 acres of land managed by Direc-
 21 tor of the Bureau of Land Management that are
 22 contiguous at several different places to the northern
 23 boundaries of Joshua Tree National Park in the
 24 northwest section of the Park, as depicted on the
 25 map entitled ‘Joshua Tree National Park Proposed

1 Boundary Additions’, numbered 156/100,077, and
2 dated August 2009; and

3 “(2) the 1,639 acres of land to be acquired
4 from the Mojave Desert Land Trust that are contig-
5 uous at several different places to the northern
6 boundaries of Joshua Tree National Park in the
7 northwest section of the Park, as depicted on the
8 map entitled ‘Mojave Desert Land Trust National
9 Park Service Additions’, numbered 156/126,376,
10 and dated September 2014.

11 “(b) AVAILABILITY OF MAPS.—The map described in
12 subsection (a) and the map depicting the 25 acres de-
13 scribed in subsection (c)(2) shall be on file and available
14 for public inspection in the appropriate offices of the Na-
15 tional Park Service.

16 “(c) ADMINISTRATION.—

17 “(1) IN GENERAL.—The Secretary shall admin-
18 ister any land added to the Joshua Tree National
19 Park under subsection (a) and the additional land
20 described in paragraph (2)—

21 “(A) as part of Joshua Tree National
22 Park; and

23 “(B) in accordance with applicable laws
24 (including regulations).

1 “(2) DESCRIPTION OF ADDITIONAL LAND.—The
2 additional land referred to in paragraph (1) is the
3 25 acres of land—

4 “(A) depicted on the map entitled ‘Joshua
5 Tree National Park Boundary Adjustment
6 Map’, numbered 156/80,049, and dated April 1,
7 2003;

8 “(B) added to Joshua Tree National Park
9 by the notice of the Department of the Interior
10 of August 28, 2003 (68 Fed. Reg. 51799); and

11 “(C) more particularly described as lots
12 26, 27, 28, 33, and 34 in sec. 34, T. 1 N., R.
13 8 E., San Bernardino Meridian.

14 “(d) SOUTHERN CALIFORNIA EDISON COMPANY EN-
15 ERGY TRANSPORT FACILITIES AND RIGHTS-OF-WAY.—

16 “(1) IN GENERAL.—Nothing in this title termi-
17 nates any valid right-of-way for the customary oper-
18 ation, maintenance, upgrade, repair, relocation with-
19 in an existing right-of-way, replacement, or other au-
20 thorized energy transport facility activities in a
21 right-of-way issued, granted, or permitted to the
22 Southern California Edison Company or the prede-
23 cessors, successors, or assigns of the Southern Cali-
24 fornia Edison Company that is located on land de-
25 scribed in paragraphs (1) and (2) of subsection (a),

1 including, at a minimum, the use of mechanized ve-
2 hicles, helicopters, or other aerial devices.

3 “(2) UPGRADES AND REPLACEMENTS.—Noth-
4 ing in this title prohibits the upgrading or replace-
5 ment of—

6 “(A) Southern California Edison Company
7 energy transport facilities, including the energy
8 transport facilities referred to as the Jellystone,
9 Burnt Mountain, Whitehorn, Allegra, and Utah
10 distribution circuits rights-of-way; or

11 “(B) an energy transport facility in rights-
12 of-way issued, granted, or permitted by the Sec-
13 retary adjacent to Southern California Edison
14 Joshua Tree Utility Facilities.

15 “(3) PUBLICATION OF PLANS.—Not later than
16 the date that is 1 year after the date of enactment
17 of this title or the issuance of a new energy trans-
18 port facility right-of-way within the Joshua Tree Na-
19 tional Park, whichever is earlier, the Secretary, in
20 consultation with the Southern California Edison
21 Company, shall publish plans for regular and emer-
22 gency access by the Southern California Edison
23 Company to the rights-of-way of the Southern Cali-
24 fornia Edison Company within Joshua Tree Na-
25 tional Park.

1 **“SEC. 1504. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated such sums
3 as are necessary to carry out this title.

4 **“TITLE XVI—OFF-HIGHWAY**
5 **VEHICLE RECREATION AREAS**

6 **“SEC. 1601. DESIGNATION OF OFF-HIGHWAY VEHICLE**
7 **RECREATION AREAS.**

8 “(a) IN GENERAL.—

9 “(1) DESIGNATION.—In accordance with the
10 Federal Land Policy and Management Act of 1976
11 (43 U.S.C. 1701 et seq.) and resource management
12 plans developed under this title and subject to valid
13 rights, the following land within the Conservation
14 Area in San Bernardino County, California, is des-
15 ignated as Off-Highway Vehicle Recreation Areas:

16 “(A) DUMONT DUNES OFF-HIGHWAY VEHI-
17 CLE RECREATION AREA.—Certain Bureau of
18 Land Management land in the Conservation
19 Area, comprising approximately 7,630 acres, as
20 generally depicted on the map entitled ‘Dumont
21 Dunes Proposed National OHV Recreation
22 Area’ and dated January 5, 2015, which shall
23 be known as the ‘Dumont Dunes Off-Highway
24 Vehicle Recreation Area’.

25 “(B) EL MIRAGE OFF-HIGHWAY VEHICLE
26 RECREATION AREA.—Certain Bureau of Land

1 Management land in the Conservation Area,
2 comprising approximately 14,930 acres, as gen-
3 erally depicted on the map entitled ‘El Mirage
4 Proposed National OHV Recreation Area’ and
5 dated July 15, 2009, which shall be known as
6 the ‘El Mirage Off-Highway Vehicle Recreation
7 Area’.

8 “(C) RASOR OFF-HIGHWAY VEHICLE
9 RECREATION AREA.—Certain Bureau of Land
10 Management land in the Conservation Area,
11 comprising approximately 23,910 acres, as gen-
12 erally depicted on the map entitled ‘Rasor Pro-
13 posed National OHV Recreation Area’ and
14 dated July 15, 2009, which shall be known as
15 the ‘Rasor Off-Highway Vehicle Recreation
16 Area’.

17 “(D) SPANGLER HILLS OFF-HIGHWAY VE-
18 HICLE RECREATION AREA.—Certain Bureau of
19 Land Management land in the Conservation
20 Area, comprising approximately 56,140 acres,
21 as generally depicted on the map entitled
22 ‘Spangler Hills Proposed National OHV Recre-
23 ation Area’ and dated February 19, 2016,
24 which shall be known as the ‘Spangler Off-
25 Highway Vehicle Recreation Area’.

1 “(E) STODDARD VALLEY OFF-HIGHWAY
2 VEHICLE RECREATION AREA.—Certain Bureau
3 of Land Management land in the Conservation
4 Area, comprising approximately 40,110 acres,
5 as generally depicted on the map entitled ‘Stod-
6 dard Valley Proposed National OHV Recreation
7 Area’ and dated July 16, 2009, which shall be
8 known as the ‘Stoddard Valley Off-Highway Ve-
9 hicle Recreation Area’.

10 “(2) REDESIGNATION AND EXPANSION OF
11 JOHNSON VALLEY OFF-HIGHWAY VEHICLE RECRE-
12 ATION AREA.—

13 “(A) IN GENERAL.—The Johnson Valley
14 Off-Highway Vehicle Recreation Area des-
15 igned by section 2945 of the Military Con-
16 struction Authorization Act for Fiscal Year
17 2014 (division B of Public Law 113–66; 127
18 Stat. 1038)—

19 “(i) is redesignated as the ‘Johnson
20 Valley National Off-Highway Vehicle
21 Recreation Area’; and

22 “(ii) is expanded to include certain
23 land as generally depicted on the map enti-
24 tled ‘Proposed Johnson Valley Off-High-

1 way Vehicle Recreation Area Additions’
2 and dated September 27, 2016.

3 “(B) RELATION TO AUTHORIZED NAVY
4 USE.—The redesignation of the Johnson Valley
5 Off-Highway Vehicle Recreation Area as the
6 Johnson Valley National Off-Highway Vehicle
7 Recreation Area does not alter or interfere with
8 the rights and obligations of the Navy regard-
9 ing the use of portions of the Recreation Area
10 as provided in subtitle C of title XXIX of the
11 Military Construction Authorization Act for
12 Fiscal Year 2014 (division B of Public Law
13 113–66; 127 Stat. 1034).

14 “(C) REFERENCES.—Any reference in any
15 law, regulation, document, record, map, or
16 other paper of the United States to the John-
17 son Valley Off-Highway Vehicle Recreation
18 Area shall be deemed to be a reference to the
19 Johnson Valley National Off-Highway Vehicle
20 Recreation Area.

21 “(b) PURPOSE.—The purpose of the off-highway ve-
22 hicle recreation areas designated or expanded under sub-
23 section (a) is to preserve and enhance the recreational op-
24 portunities within the Conservation Area (including oppor-
25 tunities for off-highway vehicle recreation), while con-

1 serving the wildlife and other natural resource values of
2 the Conservation Area.

3 “(c) MAPS AND DESCRIPTIONS.—

4 “(1) PREPARATION AND SUBMISSION.—As soon
5 as practicable after the date of enactment of this
6 title, the Secretary shall file a map and legal de-
7 scription of each off-highway vehicle recreation area
8 designated or expanded by subsection (a) with—

9 “(A) the Committee on Natural Resources
10 of the House of Representatives; and

11 “(B) the Committee on Energy and Nat-
12 ural Resources of the Senate.

13 “(2) LEGAL EFFECT.—The map and legal de-
14 scriptions of the off-highway vehicle recreation areas
15 filed under paragraph (1) shall have the same force
16 and effect as if included in this title, except that the
17 Secretary may correct errors in the map and legal
18 descriptions.

19 “(3) PUBLIC AVAILABILITY.—Each map and
20 legal description filed under paragraph (1) shall be
21 filed and made available for public inspection in the
22 appropriate offices of the Bureau of Land Manage-
23 ment.

24 “(d) USE OF THE LAND.—

25 “(1) RECREATIONAL ACTIVITIES.—

1 “(A) IN GENERAL.—The Secretary shall
2 continue to authorize, maintain, and enhance
3 the recreational uses of the off-highway vehicle
4 recreation areas designated or expanded by sub-
5 section (a), including off-highway recreation,
6 hiking, camping, hunting, mountain biking,
7 sightseeing, rockhounding, and horseback
8 riding, as long as the recreational use is con-
9 sistent with this section and any other applica-
10 ble law.

11 “(B) OFF-HIGHWAY VEHICLE AND OFF-
12 HIGHWAY RECREATION.—To the extent con-
13 sistent with applicable Federal law (including
14 regulations) and this section, any authorized
15 recreation activities and use designations in ef-
16 fect on the date of enactment of this title and
17 applicable to the off-highway vehicle recreation
18 areas designated or expanded by subsection (a)
19 shall continue, including casual off-highway ve-
20 hicular use, racing, competitive events, rock
21 crawling, training, and other forms of off-high-
22 way recreation.

23 “(2) WILDLIFE GUZZLERS.—Wildlife guzzlers
24 shall be allowed in the off-highway vehicle recreation

1 areas designated or expanded by subsection (a) in
2 accordance with—

3 “(A) applicable Bureau of Land Manage-
4 ment guidelines; and

5 “(B) State law.

6 “(3) PROHIBITED USES.—Commercial develop-
7 ment (including development of mining and energy
8 facilities, but excluding energy transport facilities,
9 rights-of-way, and related telecommunication facili-
10 ties) shall be prohibited in the off-highway vehicle
11 recreation areas designated or expanded by sub-
12 section (a) if the Secretary determines that the de-
13 velopment is incompatible with the purpose described
14 in subsection (b).

15 “(e) ADMINISTRATION.—

16 “(1) IN GENERAL.—The Secretary shall admin-
17 ister the off-highway vehicle recreation areas des-
18 igned or expanded by subsection (a) in accordance
19 with—

20 “(A) this title;

21 “(B) the Federal Land Policy and Man-
22 agement Act of 1976 (43 U.S.C. 1701 et seq.);
23 and

24 “(C) any other applicable laws (including
25 regulations).

1 “(2) MANAGEMENT PLAN.—

2 “(A) IN GENERAL.—As soon as prac-
3 ticable, but not later than 3 years after the date
4 of enactment of this title, the Secretary shall—

5 “(i) amend existing resource manage-
6 ment plans applicable to the off-highway
7 vehicle recreation areas designated or ex-
8 panded by subsection (a); or

9 “(ii) develop new management plans
10 for each off-highway vehicle recreation
11 area designated or expanded under that
12 subsection.

13 “(B) REQUIREMENTS.—All new or amend-
14 ed plans under subparagraph (A) shall be de-
15 signed to preserve and enhance safe off-highway
16 vehicle and other recreational opportunities
17 within the applicable recreation area consistent
18 with—

19 “(i) the purpose described in sub-
20 section (b); and

21 “(ii) any applicable laws (including
22 regulations).

23 “(C) INTERIM PLANS.—Pending comple-
24 tion of a new management plan under subpara-
25 graph (A), the existing resource management

1 plans shall govern the use of the applicable off-
2 highway vehicle recreation area.

3 “(f) STUDY.—

4 “(1) IN GENERAL.—As soon as practicable, but
5 not later than 2 years, after the date of enactment
6 of this title, the Secretary shall complete a study to
7 identify Bureau of Land Management land within
8 the Conservation Area that is suitable for addition
9 to the national off-highway vehicle recreation areas
10 designated or expanded by subsection (a).

11 “(2) STUDY AREAS.—The study required under
12 paragraph (1) shall include—

13 “(A) certain Bureau of Land Management
14 land in the Conservation Area, comprising ap-
15 proximately 41,000 acres, as generally depicted
16 on the map entitled ‘Spangler Hills Proposed
17 Expansion Study Area’ and dated January 23,
18 2015;

19 “(B) certain Bureau of Land Management
20 land in the Conservation Area, comprising ap-
21 proximately 680 acres, as generally depicted on
22 the map entitled ‘El Mirage Proposed Expan-
23 sion Study Area’ and dated January 21, 2015;
24 and

1 “(C) certain Bureau of Land Management
2 land in the Conservation Area, comprising ap-
3 proximately 51,600 acres, as generally depicted
4 on the map entitled ‘Johnson Valley Proposed
5 Expansion Study Area’ and dated September
6 27, 2016.

7 “(3) REQUIREMENTS.—In preparing the study
8 under paragraph (1), the Secretary shall—

9 “(A) seek input from stakeholders, includ-
10 ing—

11 “(i) the State, including—

12 “(I) the California Public Utili-
13 ties Commission; and

14 “(II) the California Energy Com-
15 mission;

16 “(ii) San Bernardino County, Cali-
17 fornia;

18 “(iii) the public;

19 “(iv) recreational user groups;

20 “(v) conservation organizations;

21 “(vi) the Southern California Edison
22 Company;

23 “(vii) the Pacific Gas and Electric
24 Company; and

1 “(viii) other Federal agencies, includ-
2 ing the Department of Defense;

3 “(B) explore the feasibility of—

4 “(i) expanding the southern boundary
5 of the off-highway vehicle recreation area
6 described in subsection (a)(1)(C) to include
7 previously disturbed land; and

8 “(ii) establishing a right-of-way for
9 off-highway vehicle use in the areas identi-
10 fied in paragraph (2) to the extent nec-
11 essary to connect the noncontiguous areas
12 of the Johnson Valley National Off-High-
13 way Vehicle Recreation Area;

14 “(C) identify and exclude from consider-
15 ation any land that—

16 “(i) is managed for conservation pur-
17 poses;

18 “(ii) may be suitable for renewable en-
19 ergy development; or

20 “(iii) may be necessary for energy
21 transmission; and

22 “(D) not recommend or approve expansion
23 of national off-highway recreation areas within
24 the Conservation Area that collectively would
25 exceed the total acres administratively des-

1 ignated for off-highway recreation within the
2 Conservation Area as of the day before the date
3 of enactment of the National Defense Author-
4 ization Act for Fiscal Year 2014 (Public Law
5 113–66; 127 Stat. 672).

6 “(4) APPLICABLE LAW.—The Secretary shall
7 consider the information and recommendations of
8 the study completed under paragraph (1) to deter-
9 mine the impacts of expanding off-highway vehicle
10 recreation areas designated or expanded by sub-
11 section (a) on the Conservation Area, in accordance
12 with—

13 “(A) the National Environmental Policy
14 Act of 1969 (42 U.S.C. 4321 et seq.);

15 “(B) the Endangered Species Act of 1973
16 (16 U.S.C. 1531 et seq.); and

17 “(C) any other applicable law (including
18 regulations), plan, and the Desert Renewable
19 Energy Conservation Plan.

20 “(5) SUBMISSION TO CONGRESS.—On comple-
21 tion of the study under paragraph (1), the Secretary
22 shall submit the study to—

23 “(A) the Committee on Natural Resources
24 of the House of Representatives; and

1 “(B) the Committee on Energy and Nat-
2 ural Resources of the Senate.

3 “(6) AUTHORIZATION FOR EXPANSION.—

4 “(A) IN GENERAL.—On completion of the
5 study under paragraph (1) and in accordance
6 with all applicable laws (including regulations),
7 the Secretary shall authorize the expansion of
8 the off-highway vehicle recreation areas rec-
9 ommended under the study.

10 “(B) MANAGEMENT.—Any land within the
11 expanded areas under subparagraph (A) shall
12 be managed in accordance with this section.

13 “(g) SOUTHERN CALIFORNIA EDISON COMPANY
14 UTILITY FACILITIES AND RIGHTS-OF-WAY.—

15 “(1) EFFECT OF TITLE.—Nothing in this
16 title—

17 “(A) terminates any validly issued right-of-
18 way for the customary operation, maintenance,
19 upgrade, repair, relocation within an existing
20 right-of-way, replacement, or other authorized
21 energy transport facility activities (including the
22 use of any mechanized vehicle, helicopter, and
23 other aerial device) in a right-of-way issued,
24 granted, or permitted to Southern California
25 Edison Company (including any predecessor or

1 successor in interest or assign) that is located
2 on land included in—

3 “(i) the El Mirage Off-Highway Vehi-
4 cle Recreation Area;

5 “(ii) the Spangler Hills National Off-
6 Highway Vehicle Recreation Area; or

7 “(iii) the Stoddard Valley National
8 Off Highway Vehicle Recreation Area;

9 “(B) affects the application, siting, route
10 selection, right-of-way acquisition, or construc-
11 tion of the Coolwater-Lugo transmission
12 project, as may be approved by the California
13 Public Utilities Commission and the Bureau of
14 Land Management; or

15 “(C) prohibits the upgrading or replace-
16 ment of any Southern California Edison Com-
17 pany—

18 “(i) utility facility, including such a
19 utility facility known on the date of enact-
20 ment of this title as—

21 “(I) ‘Gale-PS 512 transmission
22 lines or rights-of-way’; or

23 “(II) ‘Patio, Jack Ranch, and
24 Kenworth distribution circuits or
25 rights-of-way’; or

1 “(ii) energy transport facility in a
 2 right-of-way issued, granted, or permitted
 3 by the Secretary adjacent to a utility facil-
 4 ity referred to in clause (i).

5 “(2) PLANS FOR ACCESS.—The Secretary, in
 6 consultation with the Southern California Edison
 7 Company, shall publish plans for regular and emer-
 8 gency access by the Southern California Edison
 9 Company to the rights-of-way of the Company by
 10 the date that is 1 year after the later of—

11 “(A) the date of enactment of this title;

12 and

13 “(B) the date of issuance of a new energy
 14 transport facility right-of-way within—

15 “(i) the El Mirage Off-Highway Vehi-
 16 cle Recreation Area;

17 “(ii) the Spangler Hills National Off-
 18 Highway Vehicle Recreation Area; or

19 “(iii) the Stoddard Valley National
 20 Off Highway Vehicle Recreation Area.

21 “(h) PACIFIC GAS AND ELECTRIC COMPANY UTILITY
 22 FACILITIES AND RIGHTS-OF-WAY.—

23 “(1) EFFECT OF TITLE.—Nothing in this
 24 title—

1 “(A) terminates any validly issued right-of-
2 way for the customary operation, maintenance,
3 upgrade, repair, relocation within an existing
4 right-of-way, replacement, or other authorized
5 activity (including the use of any mechanized
6 vehicle, helicopter, and other aerial device) in a
7 right-of-way issued, granted, or permitted to
8 Pacific Gas and Electric Company (including
9 any predecessor or successor in interest or as-
10 sign) that is located on land included in the
11 Spangler Hills National Off-Highway Vehicle
12 Recreation Area; or

13 “(B) prohibits the upgrading or replace-
14 ment of any—

15 “(i) utility facilities of the Pacific Gas
16 and Electric Company, including those
17 utility facilities known on the date of en-
18 actment of this title as—

19 “(I) ‘Gas Transmission Line 311
20 or rights-of-way’; or

21 “(II) ‘Gas Transmission Line
22 372 or rights-of-way’; or

23 “(ii) utility facilities of the Pacific
24 Gas and Electric Company in rights-of-way
25 issued, granted, or permitted by the Sec-

1 retary adjacent to a utility facility referred
2 to in clause (i).

3 “(2) PLANS FOR ACCESS.—Not later than 1
4 year after the date of enactment of this title or the
5 issuance of a new utility facility right-of-way within
6 the Spangler Hills National Off-Highway Vehicle
7 Recreation Area, whichever is later, the Secretary, in
8 consultation with the Pacific Gas and Electric Com-
9 pany, shall publish plans for regular and emergency
10 access by the Pacific Gas and Electric Company to
11 the rights-of-way of the Pacific Gas and Electric
12 Company.

13 **“TITLE XVII—ALABAMA HILLS**
14 **NATIONAL SCENIC AREA**

15 **“SEC. 1701. DEFINITIONS.**

16 “In this title:

17 “(1) MANAGEMENT PLAN.—The term ‘manage-
18 ment plan’ means the management plan for the Na-
19 tional Scenic Area developed under section 1703(a).

20 “(2) MAP.—The term ‘Map’ means the map en-
21 titled ‘Proposed Alabama Hills National Scenic
22 Area’ and dated September 8, 2014.

23 “(3) MOTORIZED VEHICLE.—The term ‘motor-
24 ized vehicle’ means a motorized or mechanized vehi-
25 cle and includes, when used by a utility, mechanized

1 equipment, a helicopter, and any other aerial device
2 necessary to maintain electrical or communications
3 infrastructure.

4 “(4) NATIONAL SCENIC AREA.—The term ‘Na-
5 tional Scenic Area’ means the Alabama Hills Na-
6 tional Scenic Area established by section 1702(a).

7 “(5) SECRETARY.—The term ‘Secretary’ means
8 the Secretary of the Interior.

9 “(6) STATE.—The term ‘State’ means the State
10 of California.

11 “(7) TRIBE.—The term ‘Tribe’ means the Lone
12 Pine Paiute-Shoshone Tribe.

13 “(8) UTILITY FACILITY.—The term ‘utility fa-
14 cility’ means any existing or future—

15 “(A) water system facility, including aque-
16 ducts, streams, ditches, and canals;

17 “(B) water facility, including flow meas-
18 uring stations, gauges, gates, valves, piping,
19 conduits, fencing, and electrical power and com-
20 munications devices and systems;

21 “(C) electric generation facility, electric
22 storage facility, or overhead or underground
23 electrical supply system or communication sys-
24 tem, consisting of electric substations, electric
25 lines, poles and towers made of various mate-

1 rials, ‘H’ frame structures, guy wires and an-
2 chors, crossarms, wires, underground conduits,
3 cables, vaults, manholes, handholes, above-
4 ground enclosures, markers and concrete pads,
5 or other fixtures, appliances, or communication
6 circuits; or

7 “(D) other fixture, appliance, or appur-
8 tenance that is—

9 “(i) connected with a facility or sys-
10 tem described in subparagraph (C);

11 “(ii) necessary or convenient for the
12 construction, operation, regulation, control,
13 grounding, and maintenance of electric
14 generation, storage, lines, and communica-
15 tion circuits; or

16 “(iii) used for the purpose of—

17 “(I) transmitting information re-
18 lating to this title; or

19 “(II) generating, storing, distrib-
20 uting, regulating, or controlling elec-
21 tric energy to be used for light, heat,
22 power, communication, or other pur-
23 poses.

1 **“SEC. 1702. ALABAMA HILLS NATIONAL SCENIC AREA, CALI-**
2 **FORNIA.**

3 “(a) ESTABLISHMENT.—Subject to valid existing
4 rights, there is established in Inyo County, California, the
5 Alabama Hills National Scenic Area, to be comprised of
6 the approximately 18,610 acres generally depicted on the
7 Map as ‘National Scenic Area’.

8 “(b) PURPOSE.—The purpose of the National Scenic
9 Area is to conserve, protect, and enhance for the benefit,
10 use, and enjoyment of present and future generations the
11 nationally significant scenic, cultural, geological, edu-
12 cational, biological, historical, recreational, cinemato-
13 graphic, and scientific resources of the National Scenic
14 Area managed consistent with section 302(a) of the Fed-
15 eral Land Policy and Management Act of 1976 (43 U.S.C.
16 1732(a)).

17 “(c) MAP; LEGAL DESCRIPTIONS.—

18 “(1) IN GENERAL.—As soon as practicable
19 after the date of enactment of this title, the Sec-
20 retary shall file a map and a legal description of the
21 National Scenic Area with—

22 “(A) the Committee on Energy and Nat-
23 ural Resources of the Senate; and

24 “(B) the Committee on Natural Resources
25 of the House of Representatives.

1 “(2) FORCE OF LAW.—The map and legal de-
2 scriptions filed under paragraph (1) shall have the
3 same force and effect as if included in this title, ex-
4 cept that the Secretary may correct any clerical and
5 typographical errors in the map and legal descrip-
6 tions.

7 “(3) PUBLIC AVAILABILITY.—Each map and
8 legal description filed under paragraph (1) shall be
9 on file and available for public inspection in the ap-
10 propriate offices of the Forest Service and the Bu-
11 reau of Land Management.

12 “(d) ADMINISTRATION.—The Secretary shall manage
13 the National Scenic Area—

14 “(1) as a component of the National Landscape
15 Conservation System;

16 “(2) so as not to impact the future continuing
17 operation and maintenance of any activities associ-
18 ated with valid, existing rights, including water
19 rights;

20 “(3) in a manner that conserves, protects, and
21 enhances the resources and values of the National
22 Scenic Area described in subsection (b); and

23 “(4) in accordance with—

24 “(A) the Federal Land Policy and Manage-
25 ment Act of 1976 (43 U.S.C. 1701 et seq.);

1 “(B) this title; and

2 “(C) any other applicable laws.

3 “(e) MANAGEMENT.—

4 “(1) IN GENERAL.—The Secretary shall allow
5 only such uses of the National Scenic Area as the
6 Secretary determines would support the purposes of
7 the National Scenic Area as described in subsection
8 (b).

9 “(2) RECREATIONAL ACTIVITIES.—Except as
10 otherwise provided in this title or other applicable
11 law, or as the Secretary determines to be necessary
12 for public health and safety, the Secretary shall
13 allow existing recreational uses of the National Sce-
14 nic Area to continue, including hiking, mountain
15 biking, rock climbing, sightseeing, horseback riding,
16 hunting, fishing, and appropriate authorized motor-
17 ized vehicle use.

18 “(3) MOTORIZED VEHICLES.—Except as other-
19 wise specified in this title, or as necessary for ad-
20 ministrative purposes or to respond to an emer-
21 gency, the use of motorized vehicles in the National
22 Scenic Area shall be permitted only on—

23 “(A) roads and trails designated by the Di-
24 rector of the Bureau of Land Management for
25 use of motorized vehicles as part of a manage-

1 ment plan sustaining a semiprimitive motorized
2 experience; or

3 “(B) county-maintained roads in accord-
4 ance with applicable State and county laws.

5 “(f) NO BUFFER ZONES.—

6 “(1) IN GENERAL.—Nothing in this title creates
7 a protective perimeter or buffer zone around the Na-
8 tional Scenic Area.

9 “(2) ACTIVITIES OUTSIDE NATIONAL SCENIC
10 AREA.—The fact that an activity or use on land out-
11 side the National Scenic Area can be seen or heard
12 within the National Scenic Area shall not preclude
13 the activity or use outside the boundaries of the Na-
14 tional Scenic Area.

15 “(g) ACCESS.—The Secretary shall continue to pro-
16 vide private landowners adequate access to inholdings in
17 the National Scenic Area.

18 “(h) FILMING.—Nothing in this title prohibits film-
19 ing (including commercial film production, student film-
20 ing, and still photography) within the National Scenic
21 Area—

22 “(1) subject to—

23 “(A) such reasonable regulations, policies,
24 and practices as the Secretary considers to be
25 necessary; and

1 “(B) applicable law; and

2 “(2) in a manner consistent with the purposes
3 described in subsection (b).

4 “(i) FISH AND WILDLIFE.—Nothing in this title af-
5 fects the jurisdiction or responsibilities of the State with
6 respect to fish and wildlife.

7 “(j) LIVESTOCK.—The grazing of livestock in the Na-
8 tional Scenic Area, including grazing under the Alabama
9 Hills allotment and the George Creek allotment, as estab-
10 lished before the date of enactment of this title, shall be
11 permitted to continue—

12 “(1) subject to—

13 “(A) such reasonable regulations, policies,
14 and practices as the Secretary considers to be
15 necessary; and

16 “(B) applicable law; and

17 “(2) in a manner consistent with the purposes
18 described in subsection (b).

19 “(k) OVERFLIGHTS.—Nothing in this title restricts
20 or precludes flights over the National Scenic Area or over-
21 flights that can be seen or heard within the National Sce-
22 nic Area, including—

23 “(1) transportation, sightseeing and filming
24 flights, general aviation planes, helicopters, hang

1 gliders, and balloonists, for commercial or rec-
2 reational purposes;

3 “(2) low-level overflights of military aircraft;

4 “(3) flight testing and evaluation;

5 “(4) the designation or creation of new units of
6 special use airspace, or the establishment of military
7 flight training routes, over the National Scenic Area;
8 and

9 “(5) the use, including take-off and landing, of
10 helicopters and other aerial devices within valid
11 rights-of-way to construct or maintain energy trans-
12 port facilities.

13 “(l) WITHDRAWAL.—Subject to the provisions of this
14 title and valid rights in existence on the date of enactment
15 of this title, including rights established by prior with-
16 draws, the Federal land within the National Scenic Area
17 is withdrawn from all forms of—

18 “(1) entry, appropriation, or disposal under the
19 public land laws;

20 “(2) location, entry, and patent under the min-
21 ing laws; and

22 “(3) disposition under all laws pertaining to
23 mineral and geothermal leasing or mineral materials.

24 “(m) WILDLAND FIRE OPERATIONS.—Nothing in
25 this title prohibits the Secretary, in cooperation with other

1 Federal, State, and local agencies, as appropriate, from
2 conducting wildland fire operations in the National Scenic
3 Area, consistent with the purposes described in subsection
4 (b).

5 “(n) GRANTS; COOPERATIVE AGREEMENTS.—The
6 Secretary may make grants to, or enter into cooperative
7 agreements with, State, tribal, and local governmental en-
8 tities and private entities to conduct research, interpreta-
9 tion, or public education or to carry out any other initia-
10 tive relating to the restoration, conservation, or manage-
11 ment of the National Scenic Area.

12 “(o) AIR AND WATER QUALITY.—Nothing in this
13 title modifies any standard governing air or water quality
14 outside of the boundaries of the National Scenic Area.

15 “(p) UTILITY FACILITIES AND RIGHTS-OF-WAY.—

16 “(1) EFFECT OF TITLE.—Nothing in this
17 title—

18 “(A) affects the existence, use, operation,
19 maintenance (including vegetation control), re-
20 pair, construction, reconfiguration, expansion,
21 inspection, renewal, reconstruction, alteration,
22 addition, relocation, improvement, funding, re-
23 moval, or replacement of any utility facility or
24 appurtenant right-of-way within or adjacent to
25 the National Scenic Area;

1 “(B) subject to subsection (e), affects nec-
2 essary or efficient access to utility facilities or
3 rights-of-way within or adjacent to the National
4 Scenic Area; and

5 “(C) precludes the Secretary from author-
6 izing the establishment of new utility facility
7 rights-of-way (including instream sites, routes,
8 and areas) within the National Scenic Area in
9 a manner that minimizes harm to the purpose
10 of the National Scenic Area as described in sub-
11 section (b)—

12 “(i) in accordance with the National
13 Environmental Policy Act of 1969 (42
14 U.S.C. 4321 et seq.) and any other appli-
15 cable law;

16 “(ii) subject to such terms and condi-
17 tions as the Secretary determines to be ap-
18 propriate; and

19 “(iii) that are determined by the Sec-
20 retary to be the only technical or feasible
21 location, following consideration of alter-
22 natives within existing rights-of-way or
23 outside of the National Scenic Area.

24 “(2) MANAGEMENT PLAN.—Consistent with
25 this title, the Management Plan shall establish plans

1 for maintenance of public utility and other rights-of-
2 way within the National Scenic Area.

3 **“SEC. 1703. MANAGEMENT PLAN.**

4 “(a) IN GENERAL.—Not later than 3 years after the
5 date of enactment of this title, in accordance with sub-
6 sections (b) and (c), the Secretary shall develop a com-
7 prehensive plan for the long-term management of the Na-
8 tional Scenic Area.

9 “(b) CONSULTATION.—In developing the manage-
10 ment plan, the Secretary shall consult with—

11 “(1) appropriate State, tribal, and local govern-
12 mental entities, including Inyo County, the Los An-
13 geles Department of Water and Power, and the
14 Tribe;

15 “(2) investor-owned utilities, including South-
16 ern California Edison Company;

17 “(3) the Alabama Hills Stewardship Group; and

18 “(4) members of the public.

19 “(c) REQUIREMENT.—In accordance with this title,
20 the management plan shall establish plans for mainte-
21 nance of public utility and other rights-of-way within the
22 National Scenic Area.

23 “(d) INCORPORATION.—In developing the manage-
24 ment plan, in accordance with this section, the Secretary
25 shall allow, in perpetuity, casual use mining limited to the

1 use of hand tools, metal detectors, hand-fed dry washers,
2 vacuum cleaners, gold pans, small sluices, and similar
3 items.

4 “(e) INTERIM MANAGEMENT.—Pending completion
5 of the management plan, the Secretary shall manage the
6 National Scenic Area in accordance with section 1702(b).

7 **“SEC. 1704. LAND TAKEN INTO TRUST FOR LONE PINE PAI-**
8 **UTE-SHOSHONE RESERVATION.**

9 “(a) TRUST LAND.—As soon as practicable after the
10 date of enactment of this title, the Secretary shall take
11 the approximately 132 acres of Federal land depicted on
12 the Map as ‘Lone Pine Paiute-Shoshone Reservation Addi-
13 tion’ into trust for the benefit of the Tribe, subject to the
14 conditions that—

15 “(1) the land shall be subject to all easements,
16 covenants, conditions, restrictions, withdrawals, and
17 other matters of record in existence on the date of
18 enactment of this title; and

19 “(2) the Federal land over which the right-of-
20 way for the Los Angeles Aqueduct is located, gen-
21 erally described as the 250-foot-wide right-of-way
22 granted to the City of Los Angeles pursuant to the
23 Act of June 30, 1906 (34 Stat. 801, chapter 3926),
24 shall not be taken into trust for the Tribe.

1 “(b) RESERVATION LAND.—The land taken into
2 trust pursuant to subsection (a) shall be considered to be
3 a part of the reservation of the Tribe.

4 “(c) GAMING PROHIBITION.—Land taken into trust
5 under subsection (a) shall not be eligible, or considered
6 to have been taken into trust, for gaming (within the
7 meaning of the Indian Gaming Regulatory Act (25 U.S.C.
8 2701 et seq.)).

9 **“SEC. 1705. TRANSFER OF ADMINISTRATIVE JURISDICTION.**

10 “Administrative jurisdiction over the approximately
11 40 acres of Federal land depicted on the Map as ‘USFS
12 Transfer to BLM’ is transferred from the Forest Service
13 to the Bureau of Land Management.

14 **“SEC. 1706. PROTECTION OF SERVICES AND REC-**
15 **REATIONAL OPPORTUNITIES.**

16 “(a) EFFECT OF TITLE.—Nothing in this title limits
17 the provision of any commercial service for existing or his-
18 toric recreation use, as authorized by the permit process
19 of the Bureau of Land Management.

20 “(b) GUIDED RECREATIONAL OPPORTUNITIES.—Any
21 valid existing commercial permit to exercise guided rec-
22 reational opportunities for the public may continue as au-
23 thorized on the day before the date of enactment of this
24 title.

1 **“SEC. 1707. LAND CONVEYANCE TO ELIMINATE ENCROACH-**
2 **MENT ON PUBLIC LAND.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) AUTHORIZED OFFER PERIOD.—The term
5 ‘authorized offer period’ means the 120-day period
6 beginning on the date on which the required ap-
7 praisal of the Federal land is completed under sub-
8 section (c).

9 “(2) FEDERAL LAND.—The term ‘Federal land’
10 means the smallest parcel of land that—

11 “(A) the Secretary determines can be rea-
12 sonably described in legal language and admin-
13 istered; and

14 “(B) encompasses construction completed
15 by Reginald Cook as of January 15, 2015,
16 within the approximately 4 acres of Bureau of
17 Land Management land identified on the map
18 as the ‘Conveyance Area’.

19 “(3) MAP.—The term ‘map’ means the map ti-
20 tled ‘Proposed Conveyance Property’, dated January
21 15, 2015, and on file in the appropriate office of the
22 Director of the Bureau of Land Management.

23 “(4) REGINALD COOK.—The term ‘Reginald
24 Cook’ means Mr. Reginald Cook, the owner of prop-
25 erty adjacent to the land identified on the map as
26 the ‘Conveyance Area’.

1 “(b) CONVEYANCE.—If, before the end of the author-
2 ized offer period, Reginald Cook submits to the Secretary
3 an offer to acquire the Federal land consistent with sub-
4 sections (d) and (e), the Secretary shall convey to Regi-
5 nald Cook, subject to valid existing rights and on payment
6 of the required consideration, all right, title, and interest
7 of the United States in and to the surface estate of the
8 Federal land.

9 “(c) APPRAISAL.—Not later than 120 days after the
10 date of enactment of this title, the Secretary shall com-
11 plete an appraisal of the Federal land in accordance
12 with—

13 “(1) the Uniform Appraisal Standards for Fed-
14 eral Land Acquisitions; and

15 “(2) the Uniform Standards of Professional Ap-
16 praisal Practice.

17 “(d) CONSIDERATION.—As consideration for the con-
18 veyance of the Federal land, Reginald Cook shall pay to
19 the United States, for deposit in the general fund of the
20 Treasury, an amount equal to the appraised value of the
21 Federal land determined under subsection (c).

22 “(e) CONDITIONS.—

23 “(1) PAYMENT OF COSTS OF CONVEYANCE.—
24 Reginald Cook shall cover any administrative costs
25 incurred by the Secretary to carry out the convey-

1 ance of the Federal land, including the costs of any
2 required environmental, wildlife, cultural, or histor-
3 ical resources study.

4 “(2) RELEASE.—As a condition of the convey-
5 ance of the Federal land, Reginald Cook shall agree
6 in writing to release and indemnify the United
7 States from any claims or liabilities that may arise
8 from use of the Federal land by the United States
9 or Reginald Cook before the date of the conveyance.

10 “(f) ACCESS.—The Secretary shall continue to pro-
11 vide to Reginald Cook access to the property of Reginald
12 Cook, subject to part 2800 of title 43, Code of Federal
13 Regulations (or successor regulations).

14 **“TITLE XVIII—MISCELLANEOUS**

15 **“SEC. 1801. TRANSFER OF LAND TO ANZA-BORREGO**
16 **DESERT STATE PARK.**

17 “(a) IN GENERAL.—On termination of all mining
18 claims to the land described in subsection (b), the Sec-
19 retary shall transfer the land described in that subsection
20 to the State.

21 “(b) DESCRIPTION OF LAND.—The land referred to
22 in subsection (a) is certain Bureau of Land Management
23 land in San Diego County, California, comprising approxi-
24 mately 934 acres, as generally depicted on the map enti-

1 tled ‘Table Mountain Wilderness Study Area Proposed
2 Transfer to the State’ and dated July 15, 2009.

3 “(c) MANAGEMENT.—

4 “(1) IN GENERAL.—The land transferred under
5 subsection (a) shall be managed in accordance with
6 the provisions of the California Wilderness Act (Cali-
7 fornia Public Resources Code sections 5093.30–
8 5093.40).

9 “(2) WITHDRAWAL.—Subject to valid existing
10 rights, the land transferred under subsection (a) is
11 withdrawn from—

12 “(A) all forms of entry, appropriation, or
13 disposal under the public land laws;

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

16 “(C) disposition under all laws relating to
17 mineral and geothermal leasing.

18 “(3) REVERSION.—If the State ceases to man-
19 age the land transferred under subsection (a) as
20 part of the State Park System or in a manner incon-
21 sistent with the California Wilderness Act (Califor-
22 nia Public Resources Code sections 5093.30–
23 5093.40), the land shall revert to the Secretary at
24 the discretion of the Secretary, to be managed as a
25 Wilderness Study Area.

1 **“SEC. 1802. MILITARY ACTIVITIES.**

2 “Nothing in this title—

3 “(1) restricts or precludes Department of De-
4 fense motorized access by land or air—

5 “(A) to respond to an emergency within a
6 wilderness area designated by this Act; or

7 “(B) to control access to the emergency
8 site;

9 “(2) prevents nonmechanized military training
10 activities previously conducted on wilderness areas
11 designated by this title that are consistent with—

12 “(A) the Wilderness Act (16 U.S.C. 1131
13 et seq.); and

14 “(B) all applicable laws (including regula-
15 tions);

16 “(3) restricts or precludes low-level overflights
17 of military aircraft over the areas designated as wil-
18 derness, national monuments, special management
19 areas, or recreation areas by this Act, including mili-
20 tary overflights that can be seen or heard within the
21 designated areas;

22 “(4) restricts or precludes flight testing and
23 evaluation in the areas described in paragraph (3);
24 or

25 “(5) restricts or precludes the designation or
26 creation of new units of special use airspace, or the

1 establishment of military flight training routes, over
2 the areas described in paragraph (3).

3 **“SEC. 1803. CLIMATE CHANGE AND WILDLIFE CORRIDORS.**

4 “(a) IN GENERAL.—The Secretary shall—

5 “(1) assess the impacts of climate change on
6 the Conservation Area; and

7 “(2) establish policies and procedures to ensure
8 the preservation of wildlife corridors and facilitate
9 species migration likely to occur due to climate
10 change.

11 “(b) STUDY.—

12 “(1) IN GENERAL.—As soon as practicable, but
13 not later than 2 years, after the date of enactment
14 of this title, the Secretary shall complete a study re-
15 garding the impact of global climate change on the
16 Conservation Area.

17 “(2) COMPONENTS.—The study under para-
18 graph (1) shall—

19 “(A) identify the species migrating, or like-
20 ly to migrate, due to climate change;

21 “(B) examine the impacts and potential
22 impacts of climate change on—

23 “(i) plants, insects, and animals;

24 “(ii) soil;

25 “(iii) air quality;

1 “(iv) water quality and quantity; and

2 “(v) species migration and survival;

3 “(C) identify critical wildlife and species
4 migration corridors recommended for preserva-
5 tion; and

6 “(D) include recommendations for ensur-
7 ing the biological connectivity of public land
8 managed by the Secretary and the Secretary of
9 Defense throughout the Conservation Area.

10 “(3) RIGHTS-OF-WAY.—The Secretary shall
11 consider the information and recommendations of
12 the study under paragraph (1) to determine the in-
13 dividual and cumulative impacts of rights-of-way for
14 projects in the Conservation Area, in accordance
15 with—

16 “(A) the National Environmental Policy
17 Act of 1969 (42 U.S.C. 4321 et seq.);

18 “(B) the Endangered Species Act of 1973
19 (16 U.S.C. 1531 et seq.); and

20 “(C) any other applicable law.

21 “(c) LAND MANAGEMENT PLANS.—The Secretary
22 shall incorporate into all land management plans applica-
23 ble to the Conservation Area the findings and rec-
24 ommendations of the study completed under subsection
25 (b).

1 **“SEC. 1804. PROHIBITED USES OF ACQUIRED, DONATED,**
2 **AND CONSERVATION LAND.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) ACQUIRED LAND.—The term ‘acquired
5 land’ means any land acquired within the Conserva-
6 tion Area using amounts from the land and water
7 conservation fund established under section 200302
8 of title 54, United States Code.

9 “(2) CONSERVATION LAND.—The term ‘con-
10 servation land’ means any land within the Conserva-
11 tion Area that is designated to satisfy the conditions
12 of a Federal habitat conservation plan, general con-
13 servation plan, or State natural communities con-
14 servation plan, including—

15 “(A) national conservation land established
16 pursuant to section 2002(b)(2)(D) of the Omni-
17 bus Public Land Management Act of 2009 (16
18 U.S.C. 7202(b)(2)(D)); and

19 “(B) areas of critical environmental con-
20 cern established pursuant to section 202(c)(3)
21 of the Federal Land Policy and Management
22 Act of 1976 (43 U.S.C. 1712(c)(3)).

23 “(3) DONATED LAND.—The term ‘donated
24 land’ means any private land donated to the United
25 States for conservation purposes in the Conservation
26 Area.

1 “(4) DONOR.—The term ‘donor’ means an indi-
2 vidual or entity that donates private land within the
3 Conservation Area to the United States.

4 “(5) SECRETARY.—The term ‘Secretary’ means
5 the Secretary of the Interior, acting through the Di-
6 rector of the Bureau of Land Management.

7 “(b) PROHIBITIONS.—Except as provided in sub-
8 section (c), the Secretary shall not authorize the use of
9 acquired land, conservation land, or donated land within
10 the Conservation Area for any activities contrary to the
11 conservation purposes for which the land was acquired,
12 designated, or donated, including—

13 “(1) disposal;

14 “(2) rights-of-way;

15 “(3) leases;

16 “(4) livestock grazing;

17 “(5) infrastructure development, except as pro-
18 vided in subsection (c);

19 “(6) mineral entry; and

20 “(7) off-highway vehicle use, except on—

21 “(A) designated routes;

22 “(B) off-highway vehicle areas designated
23 by law; and

24 “(C) administratively designated open
25 areas.

1 “(c) EXCEPTIONS.—

2 “(1) AUTHORIZATION BY SECRETARY.—Subject
3 to paragraph (2), the Secretary may authorize lim-
4 ited exceptions to prohibited uses of acquired land or
5 donated land in the Conservation Area if—

6 “(A) a right-of-way application for a re-
7 newable energy development project or associ-
8 ated energy transport facility on acquired land
9 or donated land was submitted to the Bureau
10 of Land Management on or before December 1,
11 2009; or

12 “(B) after the completion and consider-
13 ation of an analysis under the National Envi-
14 ronmental Policy Act of 1969 (42 U.S.C. 4321
15 et seq.), the Secretary has determined that pro-
16 posed use is in the public interest.

17 “(2) CONDITIONS.—

18 “(A) IN GENERAL.—If the Secretary
19 grants an exception to the prohibition under
20 paragraph (1), the Secretary shall require the
21 permittee to donate private land of comparable
22 value located within the Conservation Area to
23 the United States to mitigate the use.

1 “(B) APPROVAL.—The private land to be
2 donated under subparagraph (A) shall be ap-
3 proved by the Secretary after—

4 “(i) consultation, to the maximum ex-
5 tent practicable, with the donor of the pri-
6 vate land proposed for nonconservation
7 uses; and

8 “(ii) an opportunity for public com-
9 ment regarding the donation.

10 “(d) EXISTING AGREEMENTS.—Nothing in this sec-
11 tion affects permitted or prohibited uses of donated land
12 or acquired land in the Conservation Area established in
13 any easements, deed restrictions, memoranda of under-
14 standing, or other agreements in existence on the date of
15 enactment of this title.

16 “(e) DEED RESTRICTIONS.—Effective beginning on
17 the date of enactment of this title, within the Conservation
18 Area, the Secretary may—

19 “(1) accept deed restrictions requested by land-
20 owners for land donated to, or otherwise acquired
21 by, the United States; and

22 “(2) consistent with existing rights, create deed
23 restrictions, easements, or other third-party rights
24 relating to any public land determined by the Sec-
25 retary to be necessary—

1 “(A) to fulfill the mitigation requirements
2 resulting from the development of renewable re-
3 sources; or

4 “(B) to satisfy the conditions of—

5 “(i) a habitat conservation plan or
6 general conservation plan established pur-
7 suant to section 10 of the Endangered
8 Species Act of 1973 (16 U.S.C. 1539); or

9 “(ii) a natural communities conserva-
10 tion plan approved by the State.

11 **“SEC. 1805. TRIBAL USES AND INTERESTS.**

12 “(a) ACCESS.—The Secretary shall ensure access to
13 areas designated under this Act by members of Indian
14 tribes for traditional cultural and religious purposes, con-
15 sistent with applicable law, including Public Law 95–341
16 (commonly known as the ‘American Indian Religious
17 Freedom Act’) (42 U.S.C. 1996).

18 “(b) TEMPORARY CLOSURE.—

19 “(1) IN GENERAL.—In accordance with applica-
20 ble law, including Public Law 95–341 (commonly
21 known as the ‘American Indian Religious Freedom
22 Act’) (42 U.S.C. 1996), and subject to paragraph
23 (2), the Secretary, on request of an Indian tribe or
24 Indian religious community, shall temporarily close
25 to general public use any portion of an area des-

1 ignated as a national monument, special manage-
2 ment area, wild and scenic river, area of critical en-
3 vironmental concern, or National Park System unit
4 under this Act (referred to in this subsection as a
5 ‘designated area’) to protect the privacy of tradi-
6 tional cultural and religious activities in the des-
7 ignated area by members of the Indian tribe or In-
8 dian religious community.

9 “(2) LIMITATION.—In closing a portion of a
10 designated area under paragraph (1), the Secretary
11 shall limit the closure to the smallest practicable
12 area for the minimum period necessary for the tradi-
13 tional cultural and religious activities.

14 “(c) TRIBAL CULTURAL RESOURCES MANAGEMENT
15 PLAN.—

16 “(1) IN GENERAL.—Not later than 2 years
17 after the date of enactment of this title, the Sec-
18 retary of the Interior shall develop and implement a
19 tribal cultural resources management plan to iden-
20 tify, protect, and conserve cultural resources of In-
21 dian tribes associated with the Xam Kwatchan Trail
22 network extending from Avikwaame (Spirit Moun-
23 tain, Nevada) to Avikwlal (Pilot Knob, California).

24 “(2) CONSULTATION.—The Secretary shall con-
25 sult on the development and implementation of the

1 tribal cultural resources management plan under
2 paragraph (1) with—

3 “(A) each of—

4 “(i) the Chemehuevi Indian Tribe;

5 “(ii) the Hualapai Tribal Nation;

6 “(iii) the Fort Mojave Indian Tribe;

7 “(iv) the Colorado River Indian
8 Tribes;

9 “(v) the Quechan Indian Tribe; and

10 “(vi) the Cocopah Indian Tribe; and

11 “(B) the Advisory Council on Historic
12 Preservation.

13 “(3) RESOURCE PROTECTION.—The tribal cul-
14 tural resources management plan developed under
15 paragraph (1) shall—

16 “(A) be based on a completed tribal cul-
17 tural resources survey; and

18 “(B) include procedures for identifying,
19 protecting, and preserving petroglyphs, ancient
20 trails, intaglios, sleeping circles, artifacts, and
21 other resources of cultural, archaeological, or
22 historical significance in accordance with all ap-
23 plicable laws and policies, including—

24 “(i) chapter 2003 of title 54, United
25 States Code;

1 “(ii) Public Law 95–341 (commonly
2 known as the ‘American Indian Religious
3 Freedom Act’) (42 U.S.C. 1996);

4 “(iii) the Archaeological Resources
5 Protection Act of 1979 (16 U.S.C. 470aa
6 et seq.);

7 “(iv) the Native American Graves
8 Protection and Repatriation Act (25
9 U.S.C. 3001 et seq.); and

10 “(v) Public Law 103–141 (commonly
11 known as the ‘Religious Freedom Restora-
12 tion Act of 1993’) (42 U.S.C. 2000bb et
13 seq.).

14 “(d) WITHDRAWAL.—Subject to valid existing rights,
15 all Federal land within the area administratively with-
16 drawn and known as the ‘Indian Pass Withdrawal Area’
17 is permanently withdrawn from—

18 “(1) all forms of entry, appropriation, or dis-
19 posal under the public land laws;

20 “(2) location, entry, and patent under the min-
21 ing laws; and

22 “(3) right-of-way leasing and disposition under
23 all laws relating to minerals or solar, wind, or geo-
24 thermal energy.

1 **“SEC. 1806. RELEASE OF FEDERAL REVERSIONARY LAND**
2 **INTERESTS.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) 1932 ACT.—The term ‘1932 Act’ means
5 the Act of June 18, 1932 (47 Stat. 324, chapter
6 270).

7 “(2) DISTRICT.—The term ‘District’ means the
8 Metropolitan Water District of Southern California.

9 “(b) RELEASE.—Subject to valid existing claims per-
10 fected prior to the effective date of the 1932 Act and the
11 reservation of minerals set forth in the 1932 Act, the Sec-
12 retary shall release, convey, or otherwise quitclaim to the
13 District, in a form recordable in local county records, and
14 subject to the approval of the District, after consultation
15 and without monetary consideration, all right, title, and
16 remaining interest of the United States in and to the land
17 that was conveyed to the District pursuant to the 1932
18 Act or any other law authorizing conveyance subject to
19 restrictions or reversionary interests retained by the
20 United States, on request by the District.

21 “(c) TERMS AND CONDITIONS.—A conveyance au-
22 thorized by subsection (b) shall be subject to the following
23 terms and conditions:

24 “(1) The District shall cover, or reimburse the
25 Secretary for, the costs incurred by the Secretary to
26 make the conveyance, including title searches, sur-

1 veys, deed preparation, attorneys' fees, and similar
2 expenses.

3 “(2) By accepting the conveyances, the District
4 agrees to indemnify and hold harmless the United
5 States with regard to any boundary dispute relating
6 to any parcel conveyed under this section.”.

7 (b) CONFORMING AMENDMENTS.—

8 (1) DESIGNATION.—Section 2945 of the Mili-
9 tary Construction Authorization Act for Fiscal Year
10 2014 (division B of Public Law 113–66; 127 Stat.
11 1038) is amended—

12 (A) in the section heading, by inserting
13 “**NATIONAL**” after “**VALLEY**”;

14 (B) in subsection (a), by inserting “Na-
15 tional” after “Valley” in the matter preceding
16 paragraph (1); and

17 (C) in subsections (b), (c), and (d), by in-
18 serting “National” after “Valley” each place it
19 appears.

20 (2) CROSS-REFERENCE.—Section 2942(c)(3) of
21 the Military Construction Authorization Act for Fis-
22 cal Year 2014 (division B of Public Law 113–66;
23 127 Stat. 1037) is amended by inserting “National”
24 after “Valley”.

1 **SEC. 102. VISITOR CENTER.**

2 Title IV of the California Desert Protection Act of
3 1994 (16 U.S.C. 410aaa–21 et seq.) is amended by adding
4 at the end the following:

5 **“SEC. 408. VISITOR CENTER.**

6 “(a) IN GENERAL.—The Secretary may acquire not
7 more than 5 acres of land and interests in land, and im-
8 provements on the land and interests, outside the bound-
9 aries of Joshua Tree National Park, in the unincorporated
10 village of Joshua Tree, for the purpose of operating a vis-
11 itor center.

12 “(b) BOUNDARY.—The Secretary shall modify the
13 boundary of the park to include the land acquired under
14 this section as a noncontiguous parcel.

15 “(c) ADMINISTRATION.—Land and facilities acquired
16 under this section—

17 “(1) may include the property owned (as of the
18 date of enactment of this section) by the Joshua
19 Tree National Park Association and commonly re-
20 ferred to as the ‘Joshua Tree National Park Visitor
21 Center’;

22 “(2) shall be administered by the Secretary as
23 part of the park; and

24 “(3) may be acquired only with the consent of
25 the owner, by donation, purchase with donated or
26 appropriated funds, or exchange.”.

1 **SEC. 103. CALIFORNIA STATE SCHOOL LAND.**

2 Section 707 of the California Desert Protection Act
3 of 1994 (16 U.S.C. 410aaa–77) is amended—

4 (1) in subsection (a)—

5 (A) in the first sentence—

6 (i) by striking “Upon request of the
7 California State Lands Commission (here-
8 inafter in this section referred to as the
9 ‘Commission’), the Secretary shall enter
10 into negotiations for an agreement” and
11 inserting the following:

12 “(1) IN GENERAL.—The Secretary shall nego-
13 tiate in good faith to reach an agreement with the
14 California State Lands Commission (referred to in
15 this section as the ‘Commission’)”; and

16 (ii) by inserting “, national monu-
17 ments,” after “more of the wilderness
18 areas”; and

19 (B) in the second sentence, by striking
20 “The Secretary shall negotiate in good faith to”
21 and inserting the following:

22 “(2) AGREEMENT.—To the maximum extent
23 practicable, not later than 10 years after the date of
24 enactment of this title, the Secretary shall”;

25 (2) in subsection (b)(1), by inserting “, national
26 monuments,” after “wilderness areas”; and

1 (3) in subsection (c), by adding at the end the
2 following:

3 “(5) SPECIAL DEPOSIT FUND ACCOUNT.—

4 “(A) IN GENERAL.—Assembled land ex-
5 changes may be used to carry out this section
6 through the sale of surplus Federal property
7 and subsequent acquisitions of State school
8 land.

9 “(B) RECEIPTS.—Past and future receipts
10 from the sale of property described in sub-
11 section (a), less any costs incurred related to
12 the sale, shall be deposited in a Special Deposit
13 Fund Account established in the Treasury.

14 “(C) USE.—Funds accumulated in the
15 Special Deposit Fund Account may be used by
16 the Secretary, without an appropriation, to ac-
17 quire State school lands or interest in the land
18 consistent with this section.”.

19 **SEC. 104. DESIGNATION OF WILD AND SCENIC RIVERS.**

20 Section 3(a) of the Wild and Scenic Rivers Act (16
21 U.S.C. 1274(a)) is amended—

22 (1) in paragraph (196), by striking subpara-
23 graph (A) and inserting the following:

24 “(A)(i) The approximately 1.4-mile seg-
25 ment of the Amargosa River in the State of

1 California, from the private property boundary
 2 in sec. 19, T. 22 N., R. 7 E., to 100 feet down-
 3 stream of Highway 178, to be administered by
 4 the Secretary of the Interior as a scenic river
 5 as an addition to the wild and scenic river seg-
 6 ments of the Amargosa River on publication by
 7 the Secretary of a notice in the Federal Reg-
 8 ister that sufficient inholdings within the
 9 boundaries of the segments have been acquired
 10 as scenic easements or in fee title to establish
 11 a manageable addition to those segments.

12 “(ii) The approximately 6.1-mile segment
 13 of the Amargosa River in the State of Cali-
 14 fornia, from 100 feet downstream of the State
 15 Highway 178 crossing to 100 feet upstream of
 16 the Tecopa Hot Springs Road crossing, to be
 17 administered by the Secretary of the Interior as
 18 a scenic river.”; and

19 (2) by adding at the end the following:

20 “(213) SURPRISE CANYON CREEK, CALI-
 21 FORNIA.—

22 “(A) IN GENERAL.—The following seg-
 23 ments of Surprise Canyon Creek in the State of
 24 California, to be administered by the Secretary
 25 of the Interior:

1 “(i) The approximately 5.3 miles of
2 Surprise Canyon Creek from the con-
3 fluence of Frenchman’s Canyon and Water
4 Canyon to 100 feet upstream of Chris
5 Wicht Camp, as a wild river.

6 “(ii) The approximately 1.8 miles of
7 Surprise Canyon Creek from 100 feet up-
8 stream of Chris Wicht Camp to the south-
9 ern boundary of sec. 14, T. 21 N., R. 44
10 E., as a recreational river.

11 “(B) EFFECT ON HISTORIC MINING STRUC-
12 TURES.—Nothing in this paragraph affects the
13 historic mining structures associated with the
14 former Panamint Mining District.

15 “(214) DEEP CREEK, CALIFORNIA.—

16 “(A) IN GENERAL.—The following seg-
17 ments of Deep Creek in the State of California,
18 to be administered by the Secretary of Agri-
19 culture:

20 “(i) The approximately 6.5-mile seg-
21 ment from 0.125 mile downstream of the
22 Rainbow Dam site in sec. 33, T. 2 N., R.
23 2 W., to 0.25 miles upstream of the Road
24 3N34 crossing, as a wild river.

1 “(ii) The 0.5-mile segment from 0.25
2 mile upstream of the Road 3N34 crossing
3 to 0.25 mile downstream of the Road
4 3N34 crossing, as a scenic river.

5 “(iii) The 2.5-mile segment from 0.25
6 miles downstream of the Road 3 N. 34
7 crossing to 0.25 miles upstream of the
8 Trail 2W01 crossing, as a wild river.

9 “(iv) The 0.5-mile segment from 0.25
10 miles upstream of the Trail 2W01 crossing
11 to 0.25 mile downstream of the Trail
12 2W01 crossing, as a scenic river.

13 “(v) The 10-mile segment from 0.25
14 miles downstream of the Trail 2W01 cross-
15 ing to the upper limit of the Mojave dam
16 flood zone in sec. 17, T. 3 N., R. 3 W., as
17 a wild river.

18 “(vi) The 11-mile segment of Hol-
19 comb Creek from 100 yards downstream of
20 the Road 3N12 crossing to .25 miles down-
21 stream of Holcomb Crossing, as a rec-
22 reational river.

23 “(vii) The 3.5-mile segment of the
24 Holcomb Creek from 0.25 miles down-

1 stream of Holcomb Crossing to the Deep
2 Creek confluence, as a wild river.

3 “(B) EFFECT ON SKI OPERATIONS.—Noth-
4 ing in this paragraph affects—

5 “(i) the operations of the Snow Valley
6 Ski Resort; or

7 “(ii) the State regulation of water
8 rights and water quality associated with
9 the operation of the Snow Valley Ski Re-
10 sort.

11 “(215) WHITEWATER RIVER, CALIFORNIA.—
12 The following segments of the Whitewater River in
13 the State of California, to be administered by the
14 Secretary of Agriculture and the Secretary of the In-
15 terior, acting jointly:

16 “(A) The 5.8-mile segment of the North
17 Fork Whitewater River from the source of the
18 River near Mt. San Gorgonio to the confluence
19 with the Middle Fork, as a wild river.

20 “(B) The 6.4-mile segment of the Middle
21 Fork Whitewater River from the source of the
22 River to the confluence with the South Fork, as
23 a wild river.

24 “(C) The 1-mile segment of the South
25 Fork Whitewater River from the confluence of

1 the River with the East Fork to the section line
2 between sections 32 and 33, T. 1 S., R. 2 E.,
3 as a wild river.

4 “(D) The 1-mile segment of the South
5 Fork Whitewater River from the section line be-
6 tween sections 32 and 33, T. 1 S., R. 2 E., to
7 the section line between sections 33 and 34, T.
8 1 S., R. 2 E., as a recreational river.

9 “(E) The 4.9-mile segment of the South
10 Fork Whitewater River from the section line be-
11 tween sections 33 and 34, T. 1 S., R. 2 E., to
12 the confluence with the Middle Fork, as a wild
13 river.

14 “(F) The 5.4-mile segment of the main
15 stem of the Whitewater River from the con-
16 fluence of the South and Middle Forks to the
17 San Gorgonio Wilderness boundary, as a wild
18 river.

19 “(G) The 3.6-mile segment of the main
20 stem of the Whitewater River from the San
21 Gorgonio Wilderness boundary to .25 miles up-
22 stream of the southern boundary of section 35,
23 T. 2 S., R. 3 E., as a recreational river.”.

1 **SEC. 105. CONFORMING AMENDMENTS.**

2 (a) SHORT TITLE.—Section 1 of the California
 3 Desert Protection Act of 1994 (16 U.S.C. 410aaa note;
 4 Public Law 103–433) is amended by striking “1 and 2,
 5 and titles I through IX” and inserting “1, 2, and 3, titles
 6 I through IX, and titles XIII through XVIII”.

7 (b) DEFINITIONS.—The California Desert Protection
 8 Act of 1994 (Public Law 103–433; 108 Stat. 4481) is
 9 amended by inserting after section 2 the following:

10 **“SEC. 3. DEFINITIONS.**

11 “(a) TITLES I THROUGH IX.—In titles I through IX,
 12 the term ‘this Act’ means only—

13 “(1) sections 1 and 2; and

14 “(2) titles I through IX.

15 “(b) TITLES XIII THROUGH XVIII.—In titles XIII
 16 through XVIII:

17 “(1) CONSERVATION AREA.—The term ‘Con-
 18 servation Area’ means the California Desert Con-
 19 servation Area.

20 “(2) SECRETARY.—The term ‘Secretary’
 21 means—

22 “(A) with respect to land under the juris-
 23 diction of the Secretary of the Interior, the Sec-
 24 retary of the Interior; and

1 “(B) with respect to land under the juris-
2 diction of the Secretary of Agriculture, the Sec-
3 retary of Agriculture.

4 “(3) STATE.—The term ‘State’ means the State
5 of California.”.

6 (c) ADMINISTRATION OF WILDERNESS AREAS.—Sec-
7 tion 103 of the California Desert Protection Act of 1994
8 (Public Law 103–433; 108 Stat. 4481) is amended—

9 (1) by striking subsection (d) and inserting the
10 following:

11 “(d) NO BUFFER ZONES.—

12 “(1) IN GENERAL.—Congress does not intend
13 for the designation of wilderness areas by this Act—

14 “(A) to require the additional regulation of
15 land adjacent to the wilderness areas; or

16 “(B) to lead to the creation of protective
17 perimeters or buffer zones around the wilder-
18 ness areas.

19 “(2) NONWILDERNESS ACTIVITIES.—Any non-
20 wilderness activities (including renewable energy
21 projects, energy transmission or telecommunications
22 projects, mining, camping, hunting, and military ac-
23 tivities) in areas immediately adjacent to the bound-
24 ary of a wilderness area designated by this Act shall
25 not be restricted or precluded by this Act, regardless

1 of any actual or perceived negative impacts of the
 2 nonwilderness activities on the wilderness area, in-
 3 cluding any potential indirect impacts of nonwilder-
 4 ness activities conducted outside the designated wil-
 5 derness area on the viewshed, ambient noise level, or
 6 air quality of wilderness area.”;

7 (2) in subsection (f), by striking “designated by
 8 this title and” and inserting “, potential wilderness
 9 areas, special management areas, and national
 10 monuments designated by this title or titles XIII
 11 through XVIII”; and

12 (3) in subsection (g), by inserting “, a potential
 13 wilderness area, a special management area, or na-
 14 tional monument” before “by this Act”.

15 (d) MOJAVE NATIONAL PRESERVE.—Title V of the
 16 California Desert Protection Act of 1994 (16 U.S.C.
 17 410aaa–41 et seq.) is amended by adding at the end the
 18 following:

19 **“SEC. 520. NATIVE GROUNDWATER SUPPLIES.**

20 “The Secretary shall take no action within the Con-
 21 servation Area to authorize, permit, or allow the use of
 22 any right-of-way or lease to extract, consume, export,
 23 transfer, or distribute groundwater for municipal, com-
 24 mercial, or industrial use from aquifers supplying wild and
 25 scenic rivers, or supplying water to Areas of Critical Envi-

1 ronmental Concern, or underlying land managed by the
2 Barstow or Needles Field Offices of the Bureau of Land
3 Management or the National Park Service in quantities
4 that collectively exceed the estimated perennial safe yield
5 or annual recharge rate, as determined by the United
6 States Geological Survey.”.

7 (e) JUNIPER FLATS.—Section 711 of the California
8 Desert Protection Act of 1994 (16 U.S.C. 410aaa–81) is
9 amended to read as follows:

10 **“SEC. 711. JUNIPER FLATS.**

11 “Development of renewable energy generation facili-
12 ties (excluding rights-of-way or facilities for the trans-
13 mission of energy and telecommunication facilities and in-
14 frastructure) is prohibited on the approximately 28,000
15 acres of Federal land generally depicted as ‘BLM Land
16 Withdrawn from Energy Development and Power Genera-
17 tion’ on the map entitled ‘Juniper Flats’ and dated Sep-
18 tember 21, 2015.”.

19 (f) CALIFORNIA MILITARY LANDS WITHDRAWAL AND
20 OVERFLIGHTS ACT OF 1994.—

21 (1) FINDINGS.—Section 801(b)(2) of the Cali-
22 fornia Military Lands Withdrawal and Overflights
23 Act of 1994 (16 U.S.C. 410aaa–82 note; Public Law
24 103–433) is amended by inserting “, special man-

1 agement areas, potential wilderness areas,” before
2 “and wilderness areas”.

3 (2) OVERFLIGHTS; SPECIAL AIRSPACE.—Section
4 802 of the California Military Lands Withdrawal
5 and Overflights Act of 1994 (16 U.S.C. 410aaa–82)
6 is amended—

7 (A) in subsection (a), by inserting “or spe-
8 cial management areas” before “designated by
9 this Act”;

10 (B) in subsection (b), by inserting “or spe-
11 cial management areas” before “designated by
12 this Act”; and

13 (C) by adding at the end the following:

14 “(d) DEPARTMENT OF DEFENSE FACILITIES.—
15 Nothing in this Act alters any authority of the Secretary
16 of Defense to conduct military operations at installations
17 and ranges within the California Desert Conservation
18 Area that are authorized under any other provision of
19 law.”.

20 (g) CLARIFICATION REGARDING FUNDING.—No ad-
21 ditional funds are authorized to carry out the require-
22 ments of this title and the amendments made by this title.
23 Such requirements shall be carried out using amounts oth-
24 erwise authorized.

1 **TITLE II—DEVELOPMENT OF RE-**
2 **NEWABLE ENERGY ON PUB-**
3 **LIC LAND**

4 **SEC. 201. DEFINITIONS.**

5 In this title:

6 (1) **FUND.**—The term “Fund” means the Re-
7 newable Energy Resource Conservation Fund estab-
8 lished by section 202(c).

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

13 (3) **SECRETARY.**—The term “Secretary” means
14 the Secretary of the Interior.

15 **SEC. 202. DISPOSITION OF REVENUES.**

16 (a) **DISPOSITION OF REVENUES.**—Of the amounts
17 collected as bonus bids, royalties, rentals, fees, or other
18 payments under a right-of-way, permit, lease, or other au-
19 thorization for the development of wind or solar energy
20 on land managed by the Bureau of Land Management—

21 (1) 25 percent shall be paid by the Secretary of
22 the Treasury to the State within the boundaries of
23 which the income is derived;

24 (2) 25 percent shall be paid by the Secretary of
25 the Treasury to the one or more counties within the

1 boundaries of which the income is derived, to be allo-
2 cated among the counties based on the percentage of
3 public land from which the royalties or bonuses are
4 derived in each county;

5 (3) 15 percent shall—

6 (A) for the 10-year period beginning on
7 the date of enactment of this Act, be deposited
8 in the Treasury of the United States to help fa-
9 cilitate the processing of renewable energy per-
10 mits by the Bureau of Land Management and
11 the United States Fish and Wildlife Service, in-
12 cluding the transfer of the funds to other Fed-
13 eral agencies and State agencies to facilitate the
14 processing of renewable energy permits; and

15 (B) beginning on the date that is 10 years
16 after the date of enactment of this Act, be de-
17 posited in the Fund; and

18 (4) 35 percent shall be deposited in the Fund.

19 (b) PAYMENTS TO STATES AND COUNTIES.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), amounts paid to States and counties
22 under subsection (a) shall be used consistent with
23 section 35 of the Mineral Leasing Act (30 U.S.C.
24 191).

1 (2) IMPACTS ON FEDERAL LAND.—Not less
2 than 33 percent of the amount paid to a State shall
3 be used on an annual basis for the purposes de-
4 scribed in subsection (c)(2)(A).

5 (3) NO IMPACT ON PAYMENTS IN LIEU OF
6 TAXES.—Nothing in this section impacts or reduces
7 any payment authorized under section 6903 of title
8 31, United States Code.

9 (c) RENEWABLE ENERGY RESOURCE CONSERVATION
10 FUND.—

11 (1) IN GENERAL.—There is established in the
12 Treasury a fund, to be known as the “Renewable
13 Energy Resource Conservation Fund”, to be admin-
14 istered by the Secretary for use in regions impacted
15 by the development of wind or solar energy.

16 (2) USE.—

17 (A) IN GENERAL.—Amounts in the Fund
18 shall be available to the Secretary, who may
19 make amounts available to the Secretary of Ag-
20 riculture and to other Federal or State agen-
21 cies, as appropriate, for the purposes of—

22 (i) addressing the impacts of wind or
23 solar development on Federal land, includ-
24 ing restoring and protecting—

- 1 (I) wildlife habitat for affected
2 species;
- 3 (II) wildlife corridors for affected
4 species; and
- 5 (III) water resources in areas im-
6 pacted by wind or solar energy devel-
7 opment;
- 8 (ii) conducting research with regional
9 institutions of higher education necessary
10 to implement restoration and protection
11 activities described in clause (i);
- 12 (iii) securing recreational access to
13 Federal land through an easement, right-
14 of-way, or fee title acquisition from willing
15 sellers for the purpose of providing en-
16 hanced public access to existing Federal
17 land that is inaccessible or significantly re-
18 stricted if the enhanced public access does
19 not impact the natural and cultural re-
20 source values of the Federal land;
- 21 (iv) carrying out activities authorized
22 under chapter 2003 of title 54, United
23 States Code, in the State; and
- 24 (v) establishing, operating, and main-
25 taining a trans-State desert tortoise con-

1 servation center on public land along the
2 California-Nevada border—

3 (I) to support desert tortoise re-
4 search, disease monitoring, handling
5 training, rehabilitation, and reintro-
6 duction;

7 (II) to provide temporary quar-
8 ters for animals collected from author-
9 ized salvage from renewable energy
10 sites; and

11 (III) to ensure the full recovery
12 and ongoing survival of the species.

13 (B) DESERT TORTOISE CONSERVATION.—

14 In carrying out subparagraph (A)(v), the Sec-
15 retary shall—

16 (i) seek the participation of or con-
17 tract with qualified nongovernmental orga-
18 nizations with expertise in desert tortoise
19 disease research and experience with desert
20 tortoise translocation techniques, and sci-
21 entific training of professional biologists
22 for handling tortoises, to staff and manage
23 the desert tortoise conservation center;

1 (ii) ensure that the center engages in
2 public outreach and education on tortoise
3 handling; and

4 (iii) consult with the State of Cali-
5 fornia and the State of Nevada to ensure
6 the center is operated consistent with State
7 law.

8 (C) ADVISORY BOARD.—

9 (i) IN GENERAL.—The Secretary shall
10 establish an independent advisory board
11 composed of key stakeholders and technical
12 experts to provide recommendations and
13 guidance on the disposition of any amounts
14 expended from the Fund.

15 (ii) ADMINISTRATIVE COSTS.—
16 Amounts in the Fund shall not be used to
17 fund any of the administrative costs of the
18 advisory board established under clause (i).

19 (3) MITIGATION REQUIREMENTS.—The expend-
20 iture of funds under this subsection shall be in addi-
21 tion to any mitigation requirements imposed pursu-
22 ant to any law, regulation, or term or condition of
23 any lease, right-of-way, or other authorization.

24 (4) INVESTMENT OF FUND.—

1 (A) IN GENERAL.—Any amounts deposited
2 in the Fund shall earn interest in an amount
3 determined by the Secretary of the Treasury on
4 the basis of the current average market yield on
5 outstanding marketable obligations of the
6 United States of comparable maturities.

7 (B) USE.—Any interest earned under sub-
8 paragraph (A) shall be expended in accordance
9 with this subsection.

○

115TH CONGRESS
1ST SESSION

S. 1959

To designate certain Federal land in the State of California as wilderness,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2017

Ms. HARRIS (for herself and Mrs. FEINSTEIN) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To designate certain Federal land in the State of California
as wilderness, 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 “Central Coast Heritage Protection Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Designation of wilderness.
- Sec. 4. Designation of the Machesna Mountain Potential Wilderness.
- Sec. 5. Administration of wilderness.
- Sec. 6. Designation of wild and scenic rivers.

- Sec. 7. Designation of the Fox Mountain Potential Wilderness.
 Sec. 8. Designation of scenic areas.
 Sec. 9. Condor National Recreation Trail.
 Sec. 10. Forest service study.
 Sec. 11. Nonmotorized recreation opportunities.
 Sec. 12. Use by members of Tribes.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) SCENIC AREAS.—The term “scenic area”
 4 means a scenic area designated by section 8(a).

5 (2) SECRETARY.—The term “Secretary”
 6 means—

7 (A) with respect to land managed by the
 8 Bureau of Land Management, the Secretary of
 9 the Interior; and

10 (B) with respect to land managed by the
 11 Forest Service, the Secretary of Agriculture.

12 (3) STATE.—The term “State” means the State
 13 of California.

14 (4) WILDERNESS AREA.—The term “wilderness
 15 area” means a wilderness area or wilderness addi-
 16 tion designated by section 3(a).

17 **SEC. 3. DESIGNATION OF WILDERNESS.**

18 (a) IN GENERAL.—In accordance with the Wilderness
 19 Act (16 U.S.C. 1131 et seq.), the following areas in the
 20 State are designated as wilderness areas and as compo-
 21 nents of the National Wilderness Preservation System:

1 (1) Certain land in the Bakersfield Field Office
2 of the Bureau of Land Management comprising ap-
3 proximately 35,619 acres, as generally depicted on
4 the map entitled “Caliente Mountain Wilderness
5 Area—Proposed” and dated May 31, 2017, which
6 shall be known as the “Caliente Mountain Wilder-
7 ness”.

8 (2) Certain land in the Bakersfield Field Office
9 of the Bureau of Land Management comprising ap-
10 proximately 13,332 acres, as generally depicted on
11 the map entitled “Soda Lake Wilderness Area—Pro-
12 posed” and dated May 31, 2017, which shall be
13 known as the “Soda Lake Wilderness”.

14 (3) Certain land in the Bakersfield Field Office
15 of the Bureau of Land Management comprising ap-
16 proximately 12,585 acres, as generally depicted on
17 the map entitled “Temblor Range Wilderness
18 Area—Proposed” and dated May 31, 2017, which
19 shall be known as the “Temblor Range Wilderness”.

20 (4) Certain land in the Los Padres National
21 Forest comprising approximately 23,670 acres, as
22 generally depicted on the map entitled “Chumash
23 Wilderness Area Additions—Proposed” and dated
24 October 4, 2017, which shall be incorporated into
25 and managed as part of the Chumash Wilderness as

1 designated by the Los Padres Condor Range and
2 River Protection Act (Public Law 102–301; 106
3 Stat. 242).

4 (5) Certain land in the Los Padres National
5 Forest comprising approximately 54,221 acres, as
6 generally depicted on the maps entitled “Dick Smith
7 Wilderness Area Additions—Proposed Map 1 of 2
8 (Bear Canyon and Cuyama Peak Units)” and “Dick
9 Smith Wilderness Area Additions—Proposed Map 2
10 of 2 (Buckhorn and Mono Units)” and dated Octo-
11 ber 4, 2017, which shall be incorporated into and
12 managed as part of the Dick Smith Wilderness as
13 designated by the California Wilderness Act of 1984
14 (Public Law 98–425; 16 U.S.C. 1132 note).

15 (6) Certain land in the Los Padres National
16 Forest and the Bakersfield Field Office of the Bu-
17 reau of Land Management comprising approximately
18 7,289 acres, as generally depicted on the map enti-
19 tled “Garcia Wilderness Area Additions—Proposed”
20 and dated October 4, 2017, which shall be incor-
21 porated into and managed as part of the Garcia Wil-
22 derness as designated by the Los Padres Condor
23 Range and River Protection Act (Public Law 102–
24 301; 106 Stat. 242).

1 (7) Certain land in the Los Padres National
2 Forest and the Bakersfield Field Office of the Bu-
3 reau of Land Management comprising approximately
4 8,671 acres, as generally depicted on the map enti-
5 tled “Machesna Mountain Wilderness Area Addi-
6 tions—Proposed” and dated October 4, 2017, which
7 shall be incorporated into and managed as part of
8 the Machesna Mountain Wilderness as designated by
9 the California Wilderness Act of 1984 (Public Law
10 98–425; 16 U.S.C. 1132 note).

11 (8) Certain land in the Los Padres National
12 Forest comprising approximately 30,184 acres, as
13 generally depicted on the map entitled “Matilija Wil-
14 derness Area Additions—Proposed” and dated Octo-
15 ber 4, 2017, which shall be incorporated into and
16 managed as part of the Matilija Wilderness as des-
17 ignated by the Los Padres Condor Range and River
18 Protection Act (Public Law 102–301; 106 Stat.
19 242).

20 (9) Certain land in the Los Padres National
21 Forest comprising approximately 24,040 acres, as
22 generally depicted on the map entitled “San Rafael
23 Wilderness Area Additions—Proposed” and dated
24 October 4, 2017, which shall be incorporated into
25 and managed as part of the San Rafael Wilderness

1 as designated by Public Law 90–271 (82 Stat. 51),
2 the California Wilderness Act of 1984 (Public Law
3 98–425; 16 U.S.C. 1132 note), and the Los Padres
4 Condor Range and River Protection Act (Public Law
5 102–301; 106 Stat. 242).

6 (10) Certain land in the Los Padres National
7 Forest comprising approximately 3,115 acres, as
8 generally depicted on the map entitled “Santa Lucia
9 Wilderness Area Additions—Proposed” and dated
10 October 4, 2017, which shall be incorporated into
11 and managed as part of the Santa Lucia Wilderness
12 as designated by the Endangered American Wilder-
13 ness Act of 1978 (Public Law 95–237; 16 U.S.C.
14 1132 note).

15 (11) Certain land in the Los Padres National
16 Forest comprising approximately 14,313 acres, as
17 generally depicted on the map entitled “Sespe Wil-
18 derness Area Additions—Proposed” and dated Octo-
19 ber 4, 2017, which shall be incorporated into and
20 managed as part of the Sespe Wilderness as des-
21 ignated by the Los Padres Condor Range and River
22 Protection Act (Public Law 102–301; 106 Stat.
23 242).

24 (12) Certain land in the Los Padres National
25 Forest comprising approximately 17,870 acres, as

1 generally depicted on the map entitled “Diablo
2 Caliente Wilderness Area—Proposed” and dated Oc-
3 tober 4, 2017, which shall be known as the “Diablo
4 Caliente Wilderness”.

5 (b) MAPS AND LEGAL DESCRIPTIONS.—

6 (1) IN GENERAL.—As soon as practicable after
7 the date of enactment of this Act, the Secretary
8 shall file maps and legal descriptions of the wilder-
9 ness areas with—

10 (A) the Committee on Energy and Natural
11 Resources of the Senate; and

12 (B) the Committee on Natural Resources
13 of the House of Representatives.

14 (2) FORCE OF LAW.—The maps and legal de-
15 scriptions filed under paragraph (1) shall have the
16 same force and effect as if included in this Act, ex-
17 cept that the Secretary may correct any clerical and
18 typographical errors in the maps and legal descrip-
19 tions.

20 (3) PUBLIC AVAILABILITY.—The maps and
21 legal descriptions filed under paragraph (1) shall be
22 on file and available for public inspection in the ap-
23 propriate offices of the Forest Service and Bureau
24 of Land Management.

1 **SEC. 4. DESIGNATION OF THE MACHESNA MOUNTAIN PO-**
2 **TENTIAL WILDERNESS.**

3 (a) DESIGNATION.—In furtherance of the purposes of
4 the Wilderness Act (16 U.S.C. 1131 et seq.), certain land
5 in the Los Padres National Forest comprising approxi-
6 mately 2,359 acres, as generally depicted on the map enti-
7 tled “Machesna Mountain Potential Wilderness Area” and
8 dated October 4, 2017, is designated as the Machesna
9 Mountain Potential Wilderness Area.

10 (b) MAP AND LEGAL DESCRIPTION.—

11 (1) IN GENERAL.—As soon as practicable after
12 the date of enactment of this Act, the Secretary
13 shall file a map and legal description of the
14 Machesna Mountain Potential Wilderness Area (re-
15 ferred to in this section as the “potential wilderness
16 area”) with—

17 (A) the Committee on Energy and Natural
18 Resources of the Senate; and

19 (B) the Committee on Natural Resources
20 of the House of Representatives.

21 (2) FORCE OF LAW.—The map and legal de-
22 scription filed under paragraph (1) shall have the
23 same force and effect as if included in this Act, ex-
24 cept that the Secretary may correct any clerical and
25 typographical errors in the map and legal descrip-
26 tion.

1 (3) PUBLIC AVAILABILITY.—The map and legal
2 description filed under paragraph (1) shall be on file
3 and available for public inspection in the appropriate
4 offices of the Forest Service.

5 (c) MANAGEMENT.—Except as provided in subsection
6 (d) and subject to valid existing rights, the Secretary shall
7 manage the potential wilderness area in accordance with
8 the Wilderness Act (16 U.S.C. 1131 et seq.).

9 (d) TRAIL USE, CONSTRUCTION, RECONSTRUCTION,
10 AND REALIGNMENT.—

11 (1) IN GENERAL.—In accordance with para-
12 graph (2), the Secretary may reconstruct, realign, or
13 reroute the Pine Mountain Trail.

14 (2) REQUIREMENT.—In carrying out the recon-
15 struction, realignment, or rerouting under paragraph
16 (1), the Secretary shall—

17 (A) comply with all existing laws (including
18 regulations); and

19 (B) to the maximum extent practicable,
20 use the minimum tool or administrative practice
21 necessary to accomplish the reconstruction, re-
22 alignment, or rerouting with the least amount
23 of adverse impact on wilderness character and
24 resources.

1 (3) MOTORIZED VEHICLES AND MACHINERY.—

2 In accordance with paragraph (2), the Secretary
3 may use motorized vehicles and machinery to carry
4 out the trail reconstruction, realignment, or rerout-
5 ing authorized by this subsection.

6 (4) MOTORIZED AND MECHANIZED VEHI-

7 CLES.—The Secretary may permit the use of motor-
8 ized and mechanized vehicles on the existing Pine
9 Mountain Trail in accordance with existing law (in-
10 cluding regulations) and this subsection until such
11 date as the potential wilderness area is designated
12 as wilderness in accordance with subsection (h).

13 (e) WITHDRAWAL.—Subject to valid existing rights,
14 the Federal land in the potential wilderness area is with-
15 drawn from all forms of—

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

18 (2) location, entry, and patent under the mining
19 laws; and

20 (3) disposition under all laws pertaining to min-
21 eral and geothermal leasing or mineral materials.

22 (f) COOPERATIVE AGREEMENTS.—In carrying out
23 this section, the Secretary may enter into cooperative
24 agreements with State, Tribal, and local governmental en-
25 tities and private entities to complete the trail construc-

1 tion, realignment, or rerouting authorized by subsection
2 (d).

3 (g) BOUNDARIES.—The Secretary shall modify the
4 boundary of the potential wilderness area to exclude any
5 area within 150 feet of the centerline of the new location
6 of any trail that has been reconstructed, realigned, or re-
7 routed under subsection (d).

8 (h) WILDERNESS DESIGNATION.—

9 (1) IN GENERAL.—The potential wilderness
10 area, as modified under subsection (g), shall be des-
11 ignated as wilderness and as a component of the Na-
12 tional Wilderness Preservation System on the earlier
13 of—

14 (A) the date on which the Secretary pub-
15 lishes in the Federal Register notice that the
16 trail reconstruction, realignment, or rerouting
17 authorized by subsection (d) has been com-
18 pleted; and

19 (B) the date that is 20 years after the date
20 of enactment of this Act.

21 (2) ADMINISTRATION OF WILDERNESS.—On
22 designation as wilderness under this section, the po-
23 tential wilderness area shall be—

24 (A) incorporated into the Machesna Moun-
25 tain Wilderness Area, as designated by the Cali-

1 California Wilderness Act of 1984 (Public Law 98–
2 425; 16 U.S.C. 1132 note) and expanded by
3 section 3; and

4 (B) administered in accordance with sec-
5 tion 5 and the Wilderness Act (16 U.S.C. 1131
6 et seq.).

7 **SEC. 5. ADMINISTRATION OF WILDERNESS.**

8 (a) IN GENERAL.—Subject to valid existing rights,
9 the wilderness areas shall be administered by the Sec-
10 retary in accordance with this Act and the Wilderness Act
11 (16 U.S.C. 1131 et seq.), except that—

12 (1) any reference in the Wilderness Act (16
13 U.S.C. 1131 et seq.) to the effective date of that Act
14 shall be considered to be a reference to the date of
15 enactment of this Act; and

16 (2) any reference in the Wilderness Act (16
17 U.S.C. 1131 et seq.) to the Secretary of Agriculture
18 shall be considered to be a reference to the Secretary
19 that has jurisdiction over the wilderness area.

20 (b) FIRE MANAGEMENT AND RELATED ACTIVI-
21 TIES.—

22 (1) IN GENERAL.—The Secretary may take any
23 measures in a wilderness area as are necessary for
24 the control of fire, insects, and diseases in accord-
25 ance with section 4(d)(1) of the Wilderness Act (16

1 U.S.C. 1133(d)(1)) and House Report 98–40 of the
2 98th Congress.

3 (2) FUNDING PRIORITIES.—Nothing in this Act
4 limits funding for fire and fuels management in the
5 wilderness areas.

6 (3) REVISION AND DEVELOPMENT OF LOCAL
7 FIRE MANAGEMENT PLANS.—As soon as practicable
8 after the date of enactment of this Act, the Sec-
9 retary shall amend the local information in the Fire
10 Management Reference System or individual oper-
11 ational plans that apply to the land designated as a
12 wilderness area.

13 (4) ADMINISTRATION.—Consistent with para-
14 graph (1) and other applicable Federal law, to en-
15 sure a timely and efficient response to fire emer-
16 gencies in the wilderness areas, the Secretary shall
17 enter into agreements with appropriate State or
18 local firefighting agencies.

19 (c) GRAZING.—The grazing of livestock in the wilder-
20 ness areas, if established before the date of enactment of
21 this Act, shall be permitted to continue, subject to any
22 reasonable regulations as the Secretary considers nec-
23 essary in accordance with—

24 (1) section 4(d)(4) of the Wilderness Act (16
25 U.S.C. 1133(d)(4));

1 (2) the guidelines set forth in Appendix A of
2 House Report 101–405, accompanying H.R. 2570 of
3 the 101st Congress for land under the jurisdiction of
4 the Secretary of the Interior;

5 (3) the guidelines set forth in House Report
6 96–617, accompanying H.R. 5487 of the 96th Con-
7 gress for land under the jurisdiction of the Secretary
8 of Agriculture; and

9 (4) all other laws governing livestock grazing on
10 Federal public land.

11 (d) FISH AND WILDLIFE.—

12 (1) IN GENERAL.—In accordance with section
13 4(d)(7) of the Wilderness Act (16 U.S.C.
14 1133(d)(7)), nothing in this Act affects the jurisdic-
15 tion or responsibilities of the State with respect to
16 fish and wildlife on public land in the State.

17 (2) MANAGEMENT ACTIVITIES.—In furtherance
18 of the purposes and principles of the Wilderness Act
19 (16 U.S.C. 1131 et seq.), the Secretary may conduct
20 any management activities that are necessary to
21 maintain or restore fish and wildlife populations and
22 habitats in the wilderness areas, if the management
23 activities are—

24 (A) consistent with relevant wilderness
25 management plans;

1 (B) conducted in accordance with appro-
2 priate policies, such as the policies established
3 in Appendix B of House Report 101-405; and

4 (C) in accordance with memoranda of un-
5 derstanding between the Federal agencies and
6 the State Department of Fish and Wildlife.

7 (e) BUFFER ZONES.—

8 (1) IN GENERAL.—Congress does not intend for
9 the designation of wilderness areas by this Act to
10 lead to the creation of protective perimeters or buff-
11 er zones around each wilderness area.

12 (2) ACTIVITIES OR USES UP TO BOUNDARIES.—

13 The fact that nonwilderness activities or uses can be
14 seen or heard from within a wilderness area shall
15 not, of itself, preclude the activities or uses up to the
16 boundary of the wilderness area.

17 (f) MILITARY ACTIVITIES.—Nothing in this Act pre-
18 cludes—

19 (1) low-level overflights of military aircraft over
20 the wilderness areas;

21 (2) the designation of new units of special air-
22 space over the wilderness areas; or

23 (3) the use or establishment of military flight
24 training routes over wilderness areas.

1 (g) HORSES.—Nothing in this Act precludes horse-
2 back riding in, or the entry of recreational saddle or pack
3 stock into, a wilderness area—

4 (1) in accordance with section 4(d)(5) of the
5 Wilderness Act (16 U.S.C. 1133(d)(5)); and

6 (2) subject to any terms and conditions deter-
7 mined to be necessary by the Secretary.

8 (h) WITHDRAWAL.—Subject to valid existing rights,
9 the wilderness areas are withdrawn from—

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

12 (2) location, entry, and patent under the mining
13 laws; and

14 (3) disposition under all laws pertaining to min-
15 eral and geothermal leasing or mineral materials.

16 (i) INCORPORATION OF ACQUIRED LAND AND INTER-
17 ESTS.—Any land within the boundary of a wilderness area
18 that is acquired by the United States shall—

19 (1) become part of the wilderness area in which
20 the land is located; and

21 (2) be managed in accordance with—

22 (A) this section;

23 (B) the Wilderness Act (16 U.S.C. 1131 et
24 seq.); and

25 (C) any other applicable law.

1 (j) TREATMENT OF EXISTING WATER DIVERSIONS IN
2 THE SAN RAFAEL WILDERNESS ADDITIONS.—

3 (1) AUTHORIZATION FOR CONTINUED USE.—

4 The Secretary of Agriculture may issue a special use
5 authorization to the owners of the 2 existing water
6 transport or diversion facilities, including adminis-
7 trative access roads (in this subsection referred to as
8 a “facility”), located on National Forest System
9 land in the San Rafael Wilderness Additions in the
10 Moon Canyon unit (T. 11 N., R. 30 W., secs. 13
11 and 14) and the Peak Mountain unit (T. 10 N., R.
12 28 W., secs. 23 and 26) for the continued operation,
13 maintenance, and reconstruction of the facility if the
14 Secretary determines that—

15 (A) the facility was in existence on the
16 date on which the land on which the facility is
17 located was designated as part of the National
18 Wilderness Preservation System (in this sub-
19 section referred to as “the date of designa-
20 tion”);

21 (B) the facility has been in substantially
22 continuous use to deliver water for the bene-
23 ficial use on the non-Federal land of the owner
24 since the date of designation;

1 (C) the owner of the facility holds a valid
2 water right for use of the water on the non-
3 Federal land of the owner under State law, with
4 a priority date that predates the date of des-
5 ignation; and

6 (D) it is not practicable or feasible to relo-
7 cate the facility to land outside of the wilder-
8 ness and continue the beneficial use of water on
9 the non-Federal land recognized under State
10 law.

11 (2) TERMS AND CONDITIONS.—

12 (A) REQUIRED TERMS AND CONDITIONS.—

13 In a special use authorization issued under
14 paragraph (1), the Secretary may—

15 (i) allow use of motorized equipment
16 and mechanized transport for operation,
17 maintenance, or reconstruction of a facil-
18 ity, if the Secretary determines that—

19 (I) the use is the minimum nec-
20 essary to allow the facility to continue
21 delivery of water to the non-Federal
22 land for the beneficial uses recognized
23 by the water right held under State
24 law; and

1 (II) the use of non-motorized
2 equipment and non-mechanized trans-
3 port is impracticable or infeasible; and
4 (ii) preclude use of the facility for the
5 diversion or transport of water in excess of
6 the water right recognized by the State on
7 the date of designation.

8 (B) DISCRETIONARY TERMS AND CONDI-
9 TIONS.—In a special use authorization issued
10 under paragraph (1), the Secretary may require
11 or allow modification or relocation of the facility
12 in the wilderness, as the Secretary determines
13 necessary, to reduce impacts to wilderness val-
14 ues set forth in section 2 of the Wilderness Act
15 (16 U.S.C. 1131) if the beneficial use of water
16 on the non-Federal land is not diminished.

17 (k) TREATMENT OF EXISTING ELECTRICAL DIS-
18 TRIBUTION LINE IN THE SAN RAFAEL WILDERNESS AD-
19 DITIONS.—

20 (1) AUTHORIZATION FOR CONTINUED USE.—
21 The Secretary of Agriculture may issue a special use
22 authorization to the owners of the existing electrical
23 distribution line to the Plowshare Peak communica-
24 tion site (in this subsection referred to as a “facil-
25 ity”) located on National Forest System land in the

1 San Rafael Wilderness Additions in the Moon Can-
2 yon unit (T. 11 N., R. 30 W., secs. 2, 3 and 4) for
3 the continued operation, maintenance, and recon-
4 struction of the facility if the Secretary determines
5 that—

6 (A) the facility was in existence on the
7 date on which the land on which the facility is
8 located was designated as part of the National
9 Wilderness Preservation System (in this sub-
10 section referred to as “the date of designa-
11 tion”);

12 (B) the facility has been in substantially
13 continuous use to deliver electricity to the com-
14 munication site; and

15 (C) it is not practicable or feasible to relo-
16 cate the distribution line to land outside of the
17 wilderness.

18 (2) TERMS AND CONDITIONS.—

19 (A) REQUIRED TERMS AND CONDITIONS.—

20 In a special use authorization issued under
21 paragraph (1), the Secretary may allow use of
22 motorized equipment and mechanized transport
23 for operation, maintenance, or reconstruction of
24 the electrical distribution line, if the Secretary
25 determines that the use of non-motorized equip-

1 ment and non-mechanized transport is impracti-
2 cable or infeasible.

3 (B) DISCRETIONARY TERMS AND CONDI-
4 TIONS.—In a special use authorization issued
5 under paragraph (1), the Secretary may require
6 or allow modification or relocation of the facility
7 in the wilderness, as the Secretary determines
8 necessary, to reduce impacts to wilderness val-
9 ues set forth in section 2 of the Wilderness Act
10 (16 U.S.C. 1131).

11 (l) CLIMATOLOGICAL DATA COLLECTION.—In ac-
12 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.)
13 and subject to terms and conditions as the Secretary may
14 prescribe, the Secretary may authorize the installation and
15 maintenance of hydrologic, meteorologic, or climatological
16 collection devices in the wilderness areas if the Secretary
17 determines that the facilities and access to the facilities
18 are essential to flood warning, flood control, or water res-
19 ervoir operation activities.

20 **SEC. 6. DESIGNATION OF WILD AND SCENIC RIVERS.**

21 (a) INDIAN CREEK, MONO CREEK, AND MATILIJA
22 CREEK, CALIFORNIA.—Section 3(a) of the Wild and Sce-
23 nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding
24 at the end the following:

1 “(213) INDIAN CREEK, CALIFORNIA.—The fol-
2 lowing segments of Indian Creek in the State of
3 California, to be administered by the Secretary of
4 Agriculture:

5 “(A) The 9.5-mile segment of Indian Creek
6 from its source in sec. 19, T. 7 N., R. 26 W.,
7 to the Dick Smith Wilderness boundary, as a
8 wild river.

9 “(B) The 1-mile segment of Indian Creek
10 from the Dick Smith Wilderness boundary to
11 0.25 miles downstream of Road 6N24, as a see-
12 nic river.

13 “(C) The 3.9-mile segment of Indian Creek
14 from 0.25 miles downstream of Road 6N24 to
15 the southern boundary of sec. 32, T. 6 N., R.
16 26 W., as a wild river.

17 “(214) MONO CREEK, CALIFORNIA.—The fol-
18 lowing segments of Mono Creek in the State of Cali-
19 fornia, to be administered by the Secretary of Agri-
20 culture:

21 “(A) The 4.2-mile segment of Mono Creek
22 from its source in sec. 1, T. 7 N., R. 26 W.,
23 to 0.25 miles upstream of Don Victor Fire
24 Road in sec. 28, T. 7 N., R. 25 W., as a wild
25 river.

1 “(B) The 2.1-mile segment of Mono Creek
2 from 0.25 miles upstream of the Don Victor
3 Fire Road in sec. 28, T. 7 N., R. 25 W., to
4 0.25 miles downstream of Don Victor Fire
5 Road in sec. 34, T7N, R25W, as a recreational
6 river.

7 “(C) The 14.7-mile segment of Mono
8 Creek from 0.25 miles downstream of Don Vic-
9 tor Fire Road in sec. 34, T. 7 N., R. 25 W.,
10 to the Ogilvy Ranch private property boundary
11 in sec. 22, R. 26 W., T. 6 N., as a wild river.

12 “(D) The 3.5-mile segment of Mono Creek
13 from the Ogilvy Ranch private property bound-
14 ary to the southern boundary of sec. 33, T. 6
15 N., R. 26 N., as a recreational river.

16 “(215) MATILIJA CREEK, CALIFORNIA.—The
17 following segments of Matilija Creek in the State of
18 California, to be administered by the Secretary of
19 Agriculture:

20 “(A) The 7.2-mile segment of the Matilija
21 Creek from its source in sec. 25, T. 6 N., R.
22 25 W., to the private property boundary in sec.
23 9, T. 5 N., R. 24 W., as a wild river.

24 “(B) The 7.25-mile segment of the Upper
25 North Fork Matilija Creek from its source in

1 sec. 36, T. 6 N., R. 24 W., to the Matilija Wil-
2 derness boundary, as a wild river.”.

3 (b) SESPE CREEK, CALIFORNIA.—Section 3(a) of the
4 Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amend-
5 ed by striking paragraph (142) and inserting the fol-
6 lowing:

7 “(142) SESPE CREEK, CALIFORNIA.—The fol-
8 lowing segments of Sespe Creek in the State of Cali-
9 fornia, to be administered by the Secretary of Agri-
10 culture:

11 “(A) The 2.7-mile segment of Sespe Creek
12 from the private property boundary in sec. 10,
13 T. 6 N., R. 24 W., to the Hartman Ranch pri-
14 vate property boundary in sec. 14, T. 6 N., R.
15 24 W., as a wild river.

16 “(B) The 15-mile segment of Sespe Creek
17 from the Hartman Ranch private property
18 boundary in sec. 14, T. 6 N., R. 24 W., to the
19 western boundary of sec. 6, T. 5 N., R. 22 W.,
20 as a recreational river.

21 “(C) The 6.1-mile segment of Sespe Creek
22 from the western boundary of sec. 6, T. 5 N.,
23 R. 22 W., to the confluence with Trout Creek,
24 as a scenic river.

1 “(D) The 28.6-mile segment of Sespe
2 Creek from the confluence with Trout Creek to
3 the southern boundary of sec. 35, T. 5 N., R.
4 20 W., as a wild river.”.

5 (c) SISQUOC RIVER, CALIFORNIA.—Section 3(a) of
6 the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is
7 amended by striking paragraph (143) and inserting the
8 following:

9 “(143) SISQUOC RIVER, CALIFORNIA.—The fol-
10 lowing segments of the Sisquoc River and its tribu-
11 taries in the State of California, to be administered
12 by the Secretary of Agriculture:

13 “(A) The 33-mile segment of the main
14 stem of the Sisquoc River extending from its
15 origin downstream to the Los Padres Forest
16 boundary, as a wild river.

17 “(B) The 4.2-mile segment of the South
18 Fork Sisquoc River from its source northeast of
19 San Rafael Mountain in sec. 2, T. 7 N., R. 28
20 W., to its confluence with the Sisquoc River, as
21 a wild river.

22 “(C) The 10.4-mile segment of Manzana
23 Creek from its source west of San Rafael Peak
24 in sec. 4, T. 7 N., R. 28 W., to the San Rafael

1 Wilderness boundary upstream of Nira Camp-
2 ground, as a wild river.

3 “(D) The 0.6-mile segment of Manzana
4 Creek from the San Rafael Wilderness bound-
5 ary upstream of the Nira Campground to the
6 San Rafael Wilderness boundary downstream of
7 the confluence of Davy Brown Creek, as a rec-
8 reational river.

9 “(E) The 5.8-mile segment of Manzana
10 Creek from the San Rafael Wilderness bound-
11 ary downstream of the confluence of Davy
12 Brown Creek to the private property boundary
13 in sec. 1, T. 8 N., R. 30 W., as a wild river.

14 “(F) The 3.8-mile segment of Manzana
15 Creek from the private property boundary in
16 sec. 1, T. 8 N., R. 30 W., to the confluence of
17 the Sisquoc River, as a recreational river.

18 “(G) The 3.4-mile segment of Davy Brown
19 Creek from its source west of Ranger Peak in
20 sec. 32, T. 8 N., R. 29 W., to 300 feet up-
21 stream of its confluence with Munch Canyon, as
22 a wild river.

23 “(H) The 1.4-mile segment of Davy Brown
24 Creek from 300 feet upstream of its confluence

1 with Munch Canyon to its confluence with
2 Manzana Creek, as a recreational river.

3 “(I) The 2-mile segment of Munch Canyon
4 from its source north of Ranger Peak in sec.
5 33, T. 8 N., R. 29 W., to 300 feet upstream
6 of its confluence with Sunset Valley Creek, as
7 a wild river.

8 “(J) The 0.5-mile segment of Munch Can-
9 yon from 300 feet upstream of its confluence
10 with Sunset Valley Creek to its confluence with
11 Davy Brown Creek, as a recreational river.

12 “(K) The 2.6-mile segment of Fish Creek
13 from 500 feet downstream of Sunset Valley
14 Road to its confluence with Manzana Creek, as
15 a wild river.

16 “(L) The 1.5-mile segment of East Fork
17 Fish Creek from its source in sec. 26, T. 8 N.,
18 R. 29 W., to its confluence with Fish Creek, as
19 a wild river.”.

20 (d) PIRU CREEK, CALIFORNIA.—Section 3(a) of the
21 Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amend-
22 ed by striking paragraph (199) and inserting the fol-
23 lowing:

24 “(199) PIRU CREEK, CALIFORNIA.—The fol-
25 lowing segments of Piru Creek in the State of Cali-

1 fornia, to be administered by the Secretary of Agri-
2 culture:

3 “(A) The 9.1-mile segment of Piru Creek
4 from its source in sec. 3, T. 6 N., R. 22 W.,
5 to the private property boundary in sec. 4, T.
6 6 N., R. 21 W., as a wild river.

7 “(B) The 17.2-mile segment of Piru Creek
8 from the private property boundary in sec. 4, T.
9 6 N., R. 21 W., to 0.25 miles downstream of
10 the Gold Hill Road, as a scenic river.

11 “(C) The 4.1-mile segment of Piru Creek
12 from 0.25 miles downstream of Gold Hill Road
13 to the confluence with Trail Canyon, as a wild
14 river.

15 “(D) The 7.25-mile segment of Piru Creek
16 from the confluence with Trail Canyon to the
17 confluence with Buck Creek, as a scenic river.

18 “(E) The 3-mile segment of Piru Creek
19 from 0.5 miles downstream of Pyramid Dam at
20 the first bridge crossing to the boundary of the
21 Sespe Wilderness, as a recreational river.

22 “(F) The 13-mile segment of Piru Creek
23 from the boundary of the Sespe Wilderness to
24 the boundary of the Sespe Wilderness, as a wild
25 river.

1 “(G) The 2.2-mile segment of Piru Creek
2 from the boundary of the Sespe Wilderness to
3 the upper limit of Piru Reservoir, as a rec-
4 reational river.”.

5 (e) EFFECT.—The designation of additional miles of
6 Piru Creek under subsection (d) shall not affect valid
7 water rights in existence on the date of enactment of this
8 Act.

9 (f) MOTORIZED USE OF TRAILS.—Nothing in this
10 section (including the amendments made by this section)
11 affects the motorized use of trails designated by the Forest
12 Service for motorized use that are located adjacent to and
13 crossing upper Piru Creek, if the use is consistent with
14 the protection and enhancement of river values under the
15 Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

16 **SEC. 7. DESIGNATION OF THE FOX MOUNTAIN POTENTIAL**
17 **WILDERNESS.**

18 (a) DESIGNATION.—In furtherance of the purposes of
19 the Wilderness Act (16 U.S.C. 1131 et seq.), certain land
20 in the Los Padres National Forest comprising approxi-
21 mately 41,837 acres, as generally depicted on the map en-
22 titled “Fox Mountain Potential Wilderness Area” and
23 dated October 4, 2017, is designated as the Fox Mountain
24 Potential Wilderness Area.

25 (b) MAP AND LEGAL DESCRIPTION.—

1 (1) IN GENERAL.—As soon as practicable after
2 the date of enactment of this Act, the Secretary of
3 Agriculture shall file a map and a legal description
4 of the Fox Mountain Potential Wilderness Area (re-
5 ferred to in this section as the “potential wilderness
6 area”) with—

7 (A) the Committee on Energy and Natural
8 Resources of the Senate; and

9 (B) the Committee on Natural Resources
10 of the House of Representatives.

11 (2) FORCE OF LAW.—The map and legal de-
12 scription filed under paragraph (1) shall have the
13 same force and effect as if included in this Act, ex-
14 cept that the Secretary of Agriculture may correct
15 any clerical and typographical errors in the map and
16 legal description.

17 (3) PUBLIC AVAILABILITY.—The map and legal
18 description filed under paragraph (1) shall be on file
19 and available for public inspection in the appropriate
20 offices of the Forest Service.

21 (c) MANAGEMENT.—Except as provided in subsection
22 (d) and subject to valid existing rights, the Secretary shall
23 manage the potential wilderness area in accordance with
24 the Wilderness Act (16 U.S.C. 1131 et seq.).

1 (d) TRAIL USE CONSTRUCTION, RECONSTRUCTION,
2 AND REALIGNMENT.—

3 (1) IN GENERAL.—In accordance with para-
4 graph (2), the Secretary of Agriculture may—

5 (A) construct a new trail for use by hikers,
6 equestrians, and mechanized vehicles that con-
7 nects the Aliso Park Campground to the Bull
8 Ridge Trail; and

9 (B) reconstruct or realign—

10 (i) the Bull Ridge Trail; and

11 (ii) the Rocky Ridge Trail.

12 (2) REQUIREMENT.—In carrying out the con-
13 struction, reconstruction, or alignment under para-
14 graph (1), the Secretary shall—

15 (A) comply with all existing laws (including
16 regulations); and

17 (B) to the maximum extent practicable,
18 use the minimum tool or administrative practice
19 necessary to accomplish the construction, recon-
20 struction, or alignment with the least amount of
21 adverse impact on wilderness character and re-
22 sources.

23 (3) MOTORIZED VEHICLES AND MACHINERY.—

24 In accordance with paragraph (2), the Secretary
25 may use motorized vehicles and machinery to carry

1 out the trail construction, reconstruction, or realign-
2 ment authorized by this subsection.

3 (4) MECHANIZED VEHICLES.—The Secretary
4 may permit the use of mechanized vehicles on the
5 existing Bull Ridge Trail and Rocky Ridge Trail in
6 accordance with existing law (including regulations)
7 and this subsection until such date as the potential
8 wilderness area is designated as wilderness in ac-
9 cordance with subsection (h).

10 (e) WITHDRAWAL.—Subject to valid existing rights,
11 the Federal land in the potential wilderness area is with-
12 drawn from all forms of—

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

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

17 (3) disposition under all laws pertaining to min-
18 eral and geothermal leasing or mineral materials.

19 (f) COOPERATIVE AGREEMENTS.—In carrying out
20 this section, the Secretary may enter into cooperative
21 agreements with State, Tribal, and local governmental en-
22 tities and private entities to complete the trail construc-
23 tion, reconstruction, and realignment authorized by sub-
24 section (d).

1 (g) BOUNDARIES.—The Secretary shall modify the
2 boundary of the potential wilderness area to exclude any
3 area within 50 feet of the centerline of the new location
4 of any trail that has been constructed, reconstructed, or
5 realigned under subsection (d).

6 (h) WILDERNESS DESIGNATION.—

7 (1) IN GENERAL.—The potential wilderness
8 area, as modified under subsection (g), shall be des-
9 ignated as wilderness and as a component of the Na-
10 tional Wilderness Preservation System on the earlier
11 of—

12 (A) the date on which the Secretary pub-
13 lishes in the Federal Register notice that the
14 trail construction, reconstruction, or alignment
15 authorized by subsection (d) has been com-
16 pleted; and

17 (B) the date that is 20 years after the date
18 of enactment of this Act.

19 (2) ADMINISTRATION OF WILDERNESS.—On
20 designation as wilderness under this section, the po-
21 tential wilderness area shall be—

22 (A) incorporated into the San Rafael Wil-
23 derness, as designated by Public Law 90–271
24 (82 Stat. 51), the California Wilderness Act of
25 1984 (Public Law 98–425; 16 U.S.C. 1132

1 note), and the Los Padres Condor Range and
2 River Protection Act (Public Law 102–301; 106
3 Stat. 242), and section 3; and

4 (B) administered in accordance with sec-
5 tion 5 and the Wilderness Act (16 U.S.C. 1131
6 et seq.).

7 **SEC. 8. DESIGNATION OF SCENIC AREAS.**

8 (a) IN GENERAL.—Subject to valid existing rights,
9 there are established the following scenic areas:

10 (1) CONDOR RIDGE SCENIC AREA.—Certain
11 land in the Los Padres National Forest comprising
12 approximately 18,666 acres, as generally depicted on
13 the map entitled “Condor Ridge Scenic Area—Pro-
14 posed” and dated October 4, 2017, which shall be
15 known as the “Condor Ridge Scenic Area”.

16 (2) BLACK MOUNTAIN SCENIC AREA.—Certain
17 land in the Los Padres National Forest and the Ba-
18 kersfield Field Office of the Bureau of Land Man-
19 agement comprising approximately 16,216 acres, as
20 generally depicted on the map entitled “Black Moun-
21 tain Scenic Area—Proposed” and dated October 4,
22 2017, which shall be known as the “Black Mountain
23 Scenic Area”.

24 (b) MAPS AND LEGAL DESCRIPTIONS.—

1 (1) IN GENERAL.—As soon as practicable after
2 the date of enactment of this Act, the Secretary of
3 Agriculture shall file a map and legal description of
4 the Condor Ridge Scenic Area and Black Mountain
5 Scenic Area with—

6 (A) the Committee on Energy and Natural
7 Resources of the Senate; and

8 (B) the Committee on Natural Resources
9 of the House of Representatives.

10 (2) FORCE OF LAW.—The maps and legal de-
11 scriptions filed under paragraph (1) shall have the
12 same force and effect as if included in this Act, ex-
13 cept that the Secretary of Agriculture may correct
14 any clerical and typographical errors in the maps
15 and legal descriptions.

16 (3) PUBLIC AVAILABILITY.—The maps and
17 legal descriptions filed under paragraph (1) shall be
18 on file and available for public inspection in the ap-
19 propriate offices of the Forest Service and Bureau
20 of Land Management.

21 (c) PURPOSE.—The purpose of the scenic areas is to
22 conserve, protect, and enhance for the benefit and enjoy-
23 ment of present and future generations the ecological, see-
24 nic, wildlife, recreational, cultural, historical, natural, edu-
25 cational, and scientific resources of the scenic areas.

1 (d) MANAGEMENT.—

2 (1) IN GENERAL.—The Secretary shall admin-
3 ister the scenic areas—

4 (A) in a manner that conserves, protects,
5 and enhances the resources of the scenic areas,
6 and in particular the scenic character attributes
7 of the scenic areas; and

8 (B) in accordance with—

9 (i) this section;

10 (ii) the Federal Land Policy and Man-
11 agement Act (43 U.S.C. 1701 et seq.) for
12 land under the jurisdiction of the Secretary
13 of the Interior;

14 (iii) any laws (including regulations)
15 relating to the National Forest System, for
16 land under the jurisdiction of the Secretary
17 of Agriculture; and

18 (iv) any other applicable law (includ-
19 ing regulations).

20 (2) USES.—The Secretary shall only allow those
21 uses of the scenic areas that the Secretary deter-
22 mines would further the purposes described in sub-
23 section (c).

1 (e) WITHDRAWAL.—Subject to valid existing rights,
2 the Federal land in the scenic areas is withdrawn from
3 all forms of—

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

6 (2) location, entry, and patent under the mining
7 laws; and

8 (3) disposition under all laws pertaining to min-
9 eral and geothermal leasing or mineral materials.

10 (f) PROHIBITED USES.—The following shall be pro-
11 hibited on the Federal land within the scenic areas:

12 (1) Permanent roads.

13 (2) Permanent structures.

14 (3) Timber harvesting except when necessary
15 for the purposes described in subsection (g).

16 (4) Transmission lines.

17 (5) Except as necessary to meet the minimum
18 requirements for the administration of the scenic
19 areas and to protect public health and safety—

20 (A) the use of motorized vehicles; or

21 (B) the establishment of temporary roads.

22 (6) Commercial enterprises, except as necessary
23 for realizing the purposes of the scenic areas.

24 (g) WILDFIRE, INSECT, AND DISEASE MANAGE-
25 MENT.—Consistent with this section, the Secretary may

1 take any measures in the scenic areas that the Secretary
2 determines to be necessary to control fire, insects, and dis-
3 eases, including, as the Secretary determines to be appro-
4 priate, the coordination of those activities with the State
5 or a local agency.

6 (h) ADJACENT MANAGEMENT.—The fact that an oth-
7 erwise authorized activity or use can be seen or heard
8 within a scenic area shall not preclude the activity or use
9 outside the boundary of the scenic area.

10 **SEC. 9. CONDOR NATIONAL RECREATION TRAIL.**

11 (a) FINDINGS.—Congress finds that—

12 (1) the Condor National Recreation Trail is
13 named after the California Condor, a critically en-
14 dangered bird species which lives along the extent of
15 the Condor National Recreation Trail within the Los
16 Padres National Forest; and

17 (2) the Condor National Recreation Trail will
18 traverse a diversity of geography and communities
19 through the southern and northern sections of the
20 Los Padres National Forest.

21 (b) PURPOSE.—The purpose of the Condor National
22 Recreation Trail is to provide a continual hiking trail cor-
23 ridor spanning the entire length of the Los Padres Na-
24 tional Forest along the coastal mountains of Central Cali-
25 fornia.

1 (c) AMENDMENT.—Section 5(a) of the National
2 Trails System Act (16 U.S.C. 1244(a)) is amended by
3 adding at the end the following:

4 “(31) CONDOR NATIONAL RECREATION
5 TRAIL.—

6 “(A) IN GENERAL.—After completion of
7 the study under subparagraph (E), the Sec-
8 retary shall designate the Condor National
9 Recreation Trail, extending from Lake Piru to
10 the Botchers Gap Campground in the Monterey
11 County corridor.

12 “(B) ADMINISTRATION.—The Condor Na-
13 tional Recreation Trail (referred to in this para-
14 graph as the ‘trail’) shall be administered by
15 the Secretary of Agriculture, in consultation
16 with—

17 “(i) other Federal, State, Tribal, re-
18 gional, and local agencies;

19 “(ii) private landowners; and

20 “(iii) other interested organizations.

21 “(C) CONTINUAL ROUTE.—In building new
22 connectors, and realigning existing trails, the
23 Secretary shall—

1 “(i) provide for a continual route
2 through the southern and northern Los
3 Padres National Forest;

4 “(ii) promote recreational, scenic, wil-
5 derness and cultural values;

6 “(iii) enhance connectivity with the
7 overall National Forest trail system;

8 “(iv) emphasize safe and continuous
9 public access, dispersal from high-use
10 areas, and suitable water sources; and

11 “(v) to the extent practicable, provide
12 all-year use.

13 “(D) PRIVATE PROPERTY RIGHTS.—

14 “(i) IN GENERAL.—No portions of the
15 trail may be located on non-Federal land
16 without the written consent of the land-
17 owner and without obtaining a permanent
18 easement or right-of-way.

19 “(ii) PROHIBITION.—The Secretary
20 shall not acquire for the trail any land or
21 interest in land outside the exterior bound-
22 ary of any federally managed area without
23 the consent of the owner of land or interest
24 in land.

1 “(iii) EFFECT.—Nothing in this para-
2 graph—

3 “(I) requires any private prop-
4 erty owner to allow public access (in-
5 cluding Federal, State, or local gov-
6 ernment access) to private property;
7 or

8 “(II) modifies any provision of
9 Federal, State, or local law with re-
10 spect to public access to or use of pri-
11 vate land.

12 “(E) STUDY.—

13 “(i) STUDY REQUIRED.—Not later
14 than 6 years after the date of enactment
15 of this paragraph, the Secretary of Agri-
16 culture shall submit a study, including a
17 detailed map, that describes the entire
18 route addresses the feasibility of, and al-
19 ternatives for, connecting the northern and
20 southern portions of the Los Padres Na-
21 tional Forest using a trail corridor across
22 the applicable portions of the Northern
23 and Southern Santa Lucia Mountains of
24 the Southern California Coastal Range
25 to—

1 “(I) the Committee on Energy
2 and Natural Resources of the Senate;
3 and

4 “(II) the Committee on Natural
5 Resources of the House of Represent-
6 atives.

7 “(ii) ADDITIONAL REQUIREMENT.—In
8 completing the study required by clause
9 (i), the Secretary of Agriculture shall con-
10 sult with—

11 “(I) appropriate Federal, State,
12 Tribal, regional, and local agencies;

13 “(II) private landowners;

14 “(III) nongovernmental organiza-
15 tions; and

16 “(IV) members of the public.”.

17 “(F) MAP.—The map referred to in sub-
18 paragraph (E)(i) shall be on file and available
19 for public inspection in the appropriate offices
20 of the Forest Service.”.

21 (d) COOPERATIVE AGREEMENTS.—In carrying out
22 this section (including the amendments made by this sec-
23 tion), the Secretary of Agriculture may enter into coopera-
24 tive agreements with State, Tribal, and local government
25 entitles and private entities to complete needed trail con-

1 struction, reconstruction, and realignment projects au-
2 thorized by this section (including the amendments made
3 by this section).

4 **SEC. 10. FOREST SERVICE STUDY.**

5 Not later than 6 years after the date of enactment
6 of this Act, the Secretary of Agriculture (acting through
7 the Chief of the Forest Service) shall study the feasibility
8 of opening a new trail, for vehicles measuring 50 inches
9 or less, connecting Forest Service Highway 95 to the exist-
10 ing off-highway vehicle trail system in the Ballinger Can-
11 yon off-highway vehicle area.

12 **SEC. 11. NONMOTORIZED RECREATION OPPORTUNITIES.**

13 Not later than 6 years after the date of enactment
14 of this Act, the Secretary of Agriculture, in consultation
15 with interested parties, shall conduct a study to improve
16 nonmotorized recreation trail opportunities (including
17 mountain bicycling) on land not designated as wilderness
18 within the Santa Barbara, Ojai, and Mt. Pinos ranger dis-
19 tricts.

20 **SEC. 12. USE BY MEMBERS OF TRIBES.**

21 (a) ACCESS.—The Secretary shall ensure that Tribes
22 have access, in accordance with the Wilderness Act (16
23 U.S.C. 1131 et seq.), to the wilderness areas, scenic areas,
24 and potential wilderness areas designated by this Act for
25 traditional cultural and religious purposes.

1 (b) TEMPORARY CLOSURES.—

2 (1) IN GENERAL.—In carrying out this section,
3 the Secretary, on request of a Tribe, may tempo-
4 rarily close to the general public one or more specific
5 portions of a wilderness area, scenic area, or poten-
6 tial wilderness area designated by this Act to protect
7 the privacy of the members of the Tribe in the con-
8 duct of traditional cultural and religious activities.

9 (2) REQUIREMENT.—Any closure under para-
10 graph (1) shall be—

11 (A) made in such a manner as to affect
12 the smallest practicable area for the minimum
13 period of time necessary for the activity to be
14 carried out; and

15 (B) be consistent with the purpose and in-
16 tent of Public Law 95–341 (commonly known
17 as the American Indian Religious Freedom Act)
18 (42 U.S.C. 1996) and the Wilderness Act (16
19 U.S.C. 1131 et seq.).

○

115TH CONGRESS
2D SESSION

S. 2335

To authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for recreation services on lands managed by Federal agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2018

Mr. ROUNDS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for recreation services on lands managed by Federal agencies, 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; DEFINI-**
4 **TIONS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Guides and Outfitters Act” or the “GO Act”.

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

- Sec. 1. Short title; table of contents; definitions.
 Sec. 2. Special recreation permit and fee.
 Sec. 3. Permit across multiple jurisdictions.
 Sec. 4. Guidelines and permit fee calculation.
 Sec. 5. Use of permit fees for permit administration.
 Sec. 6. Adjustment to permit use reviews.
 Sec. 7. Authorization of temporary permits for new uses for the Forest Service
 and BLM.
 Sec. 8. Indemnification requirements.
 Sec. 9. Streamlining of permitting process.
 Sec. 10. Cost recovery reform.
 Sec. 11. Extension of Forest Service recreation priority use permits.

1 (c) DEFINITIONS.—In this Act:

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

4 (A) the Secretary of the Interior, with re-
 5 spect to a Federal land management agency
 6 (other than the Forest Service); and

7 (B) the Secretary of Agriculture, with re-
 8 spect to the Forest Service.

9 (2) SECRETARIES.—The term “Secretaries”
 10 means the Secretary of the Interior and the Sec-
 11 retary of Agriculture acting jointly.

12 **SEC. 2. SPECIAL RECREATION PERMIT AND FEE.**

13 Subsection (h) of section 803 of the Federal Lands
 14 Recreation Enhancement Act (16 U.S.C. 6802) is amend-
 15 ed to read as follows:

16 “(h) SPECIAL RECREATION PERMIT AND FEE.—

17 “(1) IN GENERAL.—The Secretary may—

18 “(A) issue a special recreation permit for
 19 Federal recreational lands and waters; and

1 “(B) charge a special recreation permit fee
2 in connection with the issuance of the permit.

3 “(2) SPECIAL RECREATION PERMITS.—The
4 Secretary may issue special recreation permits in the
5 following circumstances:

6 “(A) For specialized individual and group
7 use of Federal facilities and Federal rec-
8 reational lands and waters, such as, but not
9 limited to, use of special areas or areas where
10 use is allocated, motorized recreational vehicle
11 use, and group activities or events.

12 “(B) To recreation service providers who
13 conduct outfitting, guiding, and other recre-
14 ation services on Federal recreational lands and
15 waters managed by the Forest Service, Bureau
16 of Land Management, Bureau of Reclamation,
17 or the United States Fish and Wildlife Service.

18 “(C) To recreation service providers who
19 conduct recreation or competitive events, which
20 may involve incidental sales on Federal rec-
21 reational lands and waters managed by the For-
22 est Service, Bureau of Land Management, Bu-
23 reau of Reclamation, or the United States Fish
24 and Wildlife Service.

1 “(3) REDUCTION IN FEDERAL COSTS AND DU-
2 PLICATION OF ANALYSIS.—

3 “(A) IN GENERAL.—The issuance of a new
4 special recreation permit for activities under
5 paragraph (2) shall be categorically excluded
6 from further analysis and documentation under
7 the National Environmental Policy Act of 1969
8 (42 U.S.C. 4321 et seq.), if the proposed use is
9 the same as or similar to a previously author-
10 ized use and the Secretary determines that such
11 issuance does not have significant environ-
12 mental effects based upon application of the ex-
13 traordinary circumstances procedures estab-
14 lished by the Secretary under the National En-
15 vironmental Policy Act of 1969 (42 U.S.C.
16 4321 et seq.).

17 “(B) DEFINITION.—For the purposes of
18 this paragraph, the term ‘similar’ means—

19 “(i) substantially similar in type, na-
20 ture, and scope; and

21 “(ii) will not result in significant new
22 impacts.

23 “(4) RELATION TO FEES FOR USE OF HIGH-
24 WAYS OR ROADS.—An entity that pays a special
25 recreation permit fee shall not be subject to a road

1 cost-sharing fee or a fee for the use of highways or
2 roads that are open to private, noncommercial use
3 within the boundaries of any Federal recreational
4 lands or waters, as authorized under section 6 of
5 Public Law 88–657 (16 U.S.C. 537).”.

6 **SEC. 3. PERMIT ACROSS MULTIPLE JURISDICTIONS.**

7 (a) IN GENERAL.—In the case of an activity requir-
8 ing permits pursuant to subsection (h) of section 803 of
9 the Federal Lands Recreation Enhancement Act (16
10 U.S.C. 6802) for use of lands managed by both the Forest
11 Service and the Bureau of Land Management—

12 (1) the Secretaries may issue a joint permit
13 based upon a single application to both agencies
14 when issuance of a joint permit based upon a single
15 application will lower processing and other adminis-
16 tration costs for the permittee, provided that the
17 permit applicant shall have the option to apply for
18 separate permits rather than a joint permit; and

19 (2) the permit application required under para-
20 graph (1) shall be—

21 (A) the application required by the lead
22 agency; and

23 (B) submitted to the lead agency.

24 (b) REQUIREMENTS OF THE LEAD AGENCY.—The
25 lead agency for a permit under subsection (a) shall—

1 (1) coordinate with the associated agencies,
2 consistent with the authority of the Secretaries
3 under section 330 of the Department of the Interior
4 and Related Agencies Appropriations Act, 2001 (43
5 U.S.C. 1703), to develop and issue the single, joint
6 permit that covers the entirety of the trip;

7 (2) in processing the joint permit application,
8 incorporate the findings, interests, and needs of the
9 associated agencies, provided that such coordination
10 shall not be subject to cost recovery; and

11 (3) complete the permitting process within a
12 reasonable time after receiving the permit applica-
13 tion.

14 (c) EFFECT ON REGULATIONS.—Nothing in this sec-
15 tion shall alter, expand, or limit the applicability of any
16 Federal law (including regulations) to lands administered
17 by the relevant Federal agencies.

18 (d) DEFINITIONS.—In this section:

19 (1) ASSOCIATED AGENCY.—The term “associ-
20 ated agency” means an agency that manages the
21 land on which the trip of the special recreation per-
22 mit applicant will enter after leaving the land man-
23 aged by the lead agency.

24 (2) LEAD AGENCY.—The term “lead agency”
25 means the agency that manages the land on which

1 the trip of the special recreation permit applicant
2 will begin.

3 **SEC. 4. GUIDELINES AND PERMIT FEE CALCULATION.**

4 (a) **GUIDELINES AND EXCLUSION OF CERTAIN REV-**
5 **ENUES.**—The Secretary shall—

6 (1) publish guidelines in the Federal Register
7 for establishing recreation permit fees; and

8 (2) provide appropriate deductions from gross
9 revenues used as the basis for the fees established
10 under paragraph (1) for—

11 (A) revenue from goods, services, and ac-
12 tivities provided by a recreation service provider
13 outside Federal recreational lands and waters,
14 such as costs for transportation, lodging, and
15 other services before or after a trip; and

16 (B) fees to be paid by permit holder under
17 applicable law to provide services on other Fed-
18 eral lands, if separate permits are issued to
19 that permit holder for a single event or trip.

20 (b) **FEE CONDITIONS.**—The fee charged by the Sec-
21 retary for a permit issued under section 803(h) of the
22 Federal Lands Recreation Enhancement Act (16 U.S.C.
23 6802(h)) shall not exceed 3 percent of the recreational
24 service provider's annual gross revenue for activities au-
25 thorized by the permit on Federal lands, plus applicable

1 revenue additions, minus applicable revenue exclusions or
2 a similar flat per person fee.

3 (c) DISCLOSURE OF FEES.—A holder of a special
4 recreation permit may inform its customers of the various
5 fees charged by the Secretary under section 803(h) of the
6 Federal Lands Recreation Enhancement Act (16 U.S.C.
7 6802(h)).

8 **SEC. 5. USE OF PERMIT FEES FOR PERMIT ADMINISTRA-**
9 **TION.**

10 (a) DEPOSITS.—Subject to subsection (b), revenues
11 from special recreation permits issued to recreation service
12 providers under subparagraphs (B) and (C) of section
13 803(h)(2) of the Federal Lands Recreation Enhancement
14 Act (16 U.S.C. 6802(h)(2)) shall be held in special ac-
15 counts established for each specific unit or area for which
16 such revenues are collected, and shall remain available for
17 expenditure, without further appropriation, until ex-
18 pended.

19 (b) USE OF PERMIT FEES.—Revenues from special
20 recreation permits issued to recreation service providers
21 under subparagraphs (B) and (C) of section 803(h)(2) of
22 the Federal Lands Recreation Enhancement Act (16
23 U.S.C. 6802(h)(2)) shall be used only—

24 (1) to partially offset the Secretary's direct cost
25 of administering the permits;

1 (2) to improve and streamline the permitting
2 process; and

3 (3) for related recreation infrastructure and
4 other purposes specifically to support recreation ac-
5 tivities at the specific site or unit where use is au-
6 thorized under the permit, after obtaining input
7 from any related permittees; provided, however, that
8 the Federal Advisory Committee Act (5 U.S.C. App.
9 1 et seq.) shall not apply to any advisory committee
10 or other group established to carry out this para-
11 graph.

12 (c) **LIMITATION ON USE OF FEES.**—The Secretary
13 may not use any permit fees for biological monitoring on
14 Federal recreational lands and waters under the Endan-
15 gered Species Act of 1973 (16 U.S.C. 1531 et seq.) for
16 listed or candidate species.

17 **SEC. 6. ADJUSTMENT TO PERMIT USE REVIEWS.**

18 (a) **IN GENERAL.**—To the extent that the Secretary
19 utilizes permit use reviews, in reviewing and adjusting al-
20 locations of use for permits for special uses of Federal rec-
21 reational lands and waters managed by the Forest Service,
22 and in renewing such permits, the Secretary of Agriculture
23 shall allocate to a permit holder a level of use that is no
24 less than the highest amount of actual annual use over
25 the reviewed period plus 25 percent, capped at the amount

1 of use allocated when the permit was issued unless addi-
2 tional capacity is available. The Secretary may assign any
3 use remaining after adjusting allocations on a temporary
4 basis to qualified permit holders.

5 (b) WAIVER.—Use reviews under subsection (a) may
6 be waived for periods in which circumstances that pre-
7 vented use of assigned capacity, such as weather, fire, nat-
8 ural disasters, wildlife displacement, business interrup-
9 tions, insufficient availability of hunting and fishing li-
10 censes, or when allocations on permits include significant
11 shoulder seasons. The authorizing office may approve non-
12 use without reducing the number of service days assigned
13 to the permit in such circumstances at the request of the
14 permit holder. Approved non-use may be temporarily as-
15 signed to other qualified permit holders when conditions
16 warrant.

17 **SEC. 7. AUTHORIZATION OF TEMPORARY PERMITS FOR**
18 **NEW USES FOR THE FOREST SERVICE AND**
19 **BLM.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the Secretary of Agriculture and the Sec-
22 retary of the Interior shall establish and implement a pro-
23 gram to authorize temporary permits for new recreational
24 uses of Federal recreational lands and waters managed by
25 the Forest Service or the Bureau of Land Management,

1 respectively, and to provide for the conversions of such
2 temporary permits to long-term permits after 2 years of
3 satisfactory operation where appropriate. The issuance
4 and conversion of such permits shall be subject to sub-
5 section (h)(3) of section 803 of the Federal Lands Recre-
6 ation Enhancement Act (16 U.S.C. 6802).

7 **SEC. 8. INDEMNIFICATION REQUIREMENTS.**

8 (a) INDEMNIFICATION.—A permit holder that is pro-
9 hibited by the State from providing indemnification to the
10 Federal Government shall be considered to be in compli-
11 ance with indemnification requirements of the Department
12 of the Interior and the Department of Agriculture if the
13 permit holder carries the required minimum amount of li-
14 ability insurance coverage or is self-insured for the same
15 minimum amount.

16 (b) EXCULPATORY AGREEMENTS.—The Secretary
17 shall not implement, administer or enforce any regulation
18 or policy prohibiting the use of exculpatory agreements be-
19 tween recreation service providers and their customers for
20 services provided under a special recreation permit.

21 **SEC. 9. STREAMLINING OF PERMITTING PROCESS.**

22 (a) REGULATIONS.—Not later than 180 days after
23 the date of the enactment of this Act, the Secretary of
24 Agriculture shall revise part 251, subpart B, of title 36
25 Code of Federal Regulations, and the Secretary of the In-

1 terior shall revise subpart 2932, of title 43, Code of Fed-
2 eral Regulations, to streamline the processes for the
3 issuance and renewal of outfitter and guide special use
4 permits. Such amended regulations shall—

5 (1) shorten application processing times and
6 minimize application and administration costs; and

7 (2) provide for the use of programmatic envi-
8 ronmental assessments and categorical exclusions for
9 environmental reviews under the National Environ-
10 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
11 for the issuance or renewal of outfitter and guide
12 and similar recreation special use permits when the
13 Secretary determines that such compliance is re-
14 quired, to the maximum extent allowable under ap-
15 plicable law, including, but not limited to, use of a
16 categorical exclusion as provided under section
17 803(h)(3) of the Federal Lands Recreation En-
18 hancement Act (16 U.S.C. 6802(h)(3)).

19 (b) **ONLINE APPLICATIONS.**—To the maximum ex-
20 tent practicable, where feasible and efficient, the Secretary
21 shall make special recreation permit applications available
22 to be filled out and submitted online.

23 **SEC. 10. COST RECOVERY REFORM.**

24 (a) **REGULATORY PROCESS.**—Not later than 180
25 days after the date of enactment of this Act, the Secretary

1 of Agriculture shall revise section 251.58 of title 36, Code
2 of Federal Regulations, and the Secretary of the Interior
3 shall revise section 2932.31(e) and (f) of title 43, Code
4 of Federal Regulations, to reduce costs and minimize the
5 burden of cost recovery on small businesses and adverse
6 impacts of cost recovery on jobs in the outfitting and guid-
7 ing industry and on rural economies provided, however,
8 that nothing in the revised regulations shall further limit
9 the Secretary's authority to issue or renew recreation spe-
10 cial use permits.

11 (b) DE MINIMIS EXEMPTION.—

12 (1) COST RECOVERY LIMITATION.—Any regula-
13 tions issued by the Secretary of the Interior or the
14 Secretary of Agriculture to establish fees to recover
15 processing costs for recreation special use applica-
16 tions and monitoring costs for recreation special use
17 authorizations shall include an exemption providing
18 that at least the first 50 hours of work necessary in
19 any one year to process or monitor such an applica-
20 tion shall not be subject to cost recovery. The appli-
21 cation of a 50-hour credit per permit shall also apply
22 to any monitoring fees on a per annum basis during
23 the term of each permit.

24 (2) APPLICATION OF EXEMPTION.—An exemp-
25 tion under paragraph (1) shall apply to the proc-

1 essing of each recreation special use permit applica-
2 tion and monitoring of each recreation special use
3 authorization for which cost recovery is required, in-
4 cluding any application or authorization requiring
5 more than 50 hours (or such other greater number
6 of hours specified for exemption) to process or mon-
7 itor. In the event that the amount of work required
8 to process such an application or monitor such an
9 authorization exceeds the specified exemption, the
10 amount of work for which cost recovery is required
11 shall be reduced by the amount of the exemption.

12 (3) MULTIPLE APPLICATIONS.—In situations
13 involving multiple recreation special use applications
14 for similar services in the same unit or area that re-
15 quire more than 50 hours (or such other greater
16 number of hours specified for exemption) in the ag-
17 gregate to process, the Secretary shall, regardless of
18 whether the applications are solicited or unsolicited
19 and whether there is competitive interest—

20 (A) determine the share of the aggregate
21 amount to be allocated to each application, on
22 an equal or prorated basis, as appropriate; and

23 (B) for each application, apply a separate
24 exemption of up to 50 hours (or such other

1 greater number of hours specified for exemp-
2 tion) to the share allocated to such application.

3 (4) COST REDUCTION.—The agency processing
4 a recreation special use application shall utilize ex-
5 isting studies and analysis to the greatest extent
6 practicable in order to reduce the amount of work
7 and cost necessary to process the application.

8 (5) LIMITATION.—The Secretary of the Interior
9 and the Secretary of Agriculture may not recover as
10 processing costs for recreation special use applica-
11 tions and monitoring costs for recreation special use
12 authorizations any costs for consultations conducted
13 under section 7 of the Endangered Species Act of
14 1973 (16 U.S.C. 1536) or for biological monitoring
15 on Federal recreational lands and waters under such
16 Act for listed, proposed, or candidate species.

17 (6) WAIVER OF COST RECOVERY.—The Sec-
18 retary of the Interior and the Secretary of Agri-
19 culture may waive the recovery of costs for proc-
20 essing recreation special use permit applications and
21 renewals, on a categorical or case-by-case basis as
22 appropriate, if the Secretary determines that—

23 (A) such costs would impose a significant
24 economic burden on any small business or cat-
25 egory of small businesses;

1 (B) such cost recovery could threaten the
2 ability of an applicant or permittee to provide,
3 in a particular area, a particular outdoor rec-
4 reational activity that is consistent with the
5 public interest and with applicable resource
6 management plans; or

7 (C) prevailing economic conditions are un-
8 favorable, such as during economic recessions,
9 or when drought, fire, or other natural disasters
10 have depressed economic activity in the area of
11 operation.

12 **SEC. 11. EXTENSION OF FOREST SERVICE RECREATION**
13 **PRIORITY USE PERMITS.**

14 Where the holder of a special use permit for outfitting
15 and guiding that authorizes priority use has submitted a
16 request for renewal of such permit in accordance with ap-
17 plicable laws and regulations, the Secretary of Agriculture
18 shall have the authority to grant the holder one or more
19 extensions of the existing permit for additional items not
20 to exceed 5 years in the aggregate, as necessary to allow
21 the Secretary to complete the renewal process and to avoid
22 the interruption of services under such permit. Before
23 granting an extension under this section, the Secretary
24 shall take all reasonable and appropriate steps to complete

- 1 the renewal process before the expiration of the special
- 2 use permit.

○

115TH CONGRESS
1ST SESSION

H. R. 289

IN THE SENATE OF THE UNITED STATES

OCTOBER 3, 2017

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for recreation services on lands managed by Federal agencies, 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; TABLE OF CONTENTS; DEFINI-**
 2 **TIONS.**

3 (a) **SHORT TITLE.**—This Act may be cited as the
 4 “Guides and Outfitters Act” or the “GO Act”.

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

- Sec. 1. Short title; table of contents; definitions.
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and BLM.
- Sec. 8. Indemnification requirements.
- Sec. 9. Streamlining of permitting process.
- Sec. 10. Cost recovery reform.
- Sec. 11. Extension of Forest Service recreation priority use permits.

7 (c) **DEFINITIONS.**—In this Act:

8 (1) **SECRETARY.**—The term “Secretary”
 9 means—

10 (A) the Secretary of the Interior, with re-
 11 spect to a Federal land management agency
 12 (other than the Forest Service); and

13 (B) the Secretary of Agriculture, with re-
 14 spect to the Forest Service.

15 (2) **SECRETARIES.**—The term “Secretaries”
 16 means the Secretary of the Interior and the Sec-
 17 retary of Agriculture acting jointly.

1 **SEC. 2. SPECIAL RECREATION PERMIT AND FEE.**

2 Subsection (h) of section 803 of the Federal Lands
3 Recreation Enhancement Act (16 U.S.C. 6802) is amend-
4 ed to read as follows:

5 “(h) SPECIAL RECREATION PERMIT AND FEE.—

6 “(1) IN GENERAL.—The Secretary may—

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8 Federal recreational lands and waters; and

9 “(B) charge a special recreation permit fee
10 in connection with the issuance of the permit.

11 “(2) SPECIAL RECREATION PERMITS.—The
12 Secretary may issue special recreation permits in the
13 following circumstances:

14 “(A) For specialized individual and group
15 use of Federal facilities and Federal rec-
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17 limited to, use of special areas or areas where
18 use is allocated, motorized recreational vehicle
19 use, and group activities or events.

20 “(B) To recreation service providers who
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22 ation services on Federal recreational lands and
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8 “(3) REDUCTION IN FEDERAL COSTS AND DU-
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10 “(A) IN GENERAL.—The issuance of a new
11 special recreation permit for activities under
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15 (42 U.S.C. 4321 et seq.), if the proposed use is
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19 mental effects based upon application of the ex-
20 traordinary circumstances procedures estab-
21 lished by the Secretary under the National En-
22 vironmental Policy Act of 1969 (42 U.S.C.
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24 “(B) DEFINITION.—For the purposes of
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1 “(i) substantially similar in type, na-
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9 roads that are open to private, noncommercial use
10 within the boundaries of any Federal recreational
11 lands or waters, as authorized under section 6 of
12 Public Law 88–657 (16 U.S.C. 537).”.

13 **SEC. 3. PERMIT ACROSS MULTIPLE JURISDICTIONS.**

14 (a) IN GENERAL.—In the case of an activity requir-
15 ing permits pursuant to subsection (h) of section 803 of
16 the Federal Lands Recreation Enhancement Act (16
17 U.S.C. 6802) for use of lands managed by both the Forest
18 Service and the Bureau of Land Management—

19 (1) the Secretaries may issue a joint permit
20 based upon a single application to both agencies
21 when issuance of a joint permit based upon a single
22 application will lower processing and other adminis-
23 tration costs for the permittee, provided that the
24 permit applicant shall have the option to apply for
25 separate permits rather than a joint permit; and

1 (2) the permit application required under para-
2 graph (1) shall be—

3 (A) the application required by the lead
4 agency; and

5 (B) submitted to the lead agency.

6 (b) REQUIREMENTS OF THE LEAD AGENCY.—The
7 lead agency for a permit under subsection (a) shall—

8 (1) coordinate with the associated agencies,
9 consistent with the authority of the Secretaries
10 under section 330 of the Department of the Interior
11 and Related Agencies Appropriations Act, 2001 (43
12 U.S.C. 1703), to develop and issue the single, joint
13 permit that covers the entirety of the trip;

14 (2) in processing the joint permit application,
15 incorporate the findings, interests, and needs of the
16 associated agencies, provided that such coordination
17 shall not be subject to cost recovery; and

18 (3) complete the permitting process within a
19 reasonable time after receiving the permit applica-
20 tion.

21 (c) EFFECT ON REGULATIONS.—Nothing in this sec-
22 tion shall alter, expand, or limit the applicability of any
23 Federal law (including regulations) to lands administered
24 by the relevant Federal agencies.

25 (d) DEFINITIONS.—In this section:

1 (1) ASSOCIATED AGENCY.—The term “associ-
2 ated agency” means an agency that manages the
3 land on which the trip of the special recreation per-
4 mit applicant will enter after leaving the land man-
5 aged by the lead agency.

6 (2) LEAD AGENCY.—The term “lead agency”
7 means the agency that manages the land on which
8 the trip of the special recreation permit applicant
9 will begin.

10 **SEC. 4. GUIDELINES AND PERMIT FEE CALCULATION.**

11 (a) GUIDELINES AND EXCLUSION OF CERTAIN REV-
12 ENUES.—The Secretary shall—

13 (1) publish guidelines in the Federal Register
14 for establishing recreation permit fees; and

15 (2) provide appropriate deductions from gross
16 revenues used as the basis for the fees established
17 under paragraph (1) for—

18 (A) revenue from goods, services, and ac-
19 tivities provided by a recreation service provider
20 outside Federal recreational lands and waters,
21 such as costs for transportation, lodging, and
22 other services before or after a trip; and

23 (B) fees to be paid by permit holder under
24 applicable law to provide services on other Fed-

1 eral lands, if separate permits are issued to
2 that permit holder for a single event or trip.

3 (b) **FREE CONDITIONS.**—The fee charged by the Sec-
4 retary for a permit issued under section 803(h) of the
5 Federal Lands Recreation Enhancement Act (16 U.S.C.
6 6802(h)) shall not exceed 3 percent of the recreational
7 service provider’s annual gross revenue for activities au-
8 thorized by the permit on Federal lands, plus applicable
9 revenue additions, minus applicable revenue exclusions or
10 a similar flat per person fee.

11 (c) **DISCLOSURE OF FEES.**—A holder of a special
12 recreation permit may inform its customers of the various
13 fees charged by the Secretary under section 803(h) of the
14 Federal Lands Recreation Enhancement Act (16 U.S.C.
15 6802(h)).

16 **SEC. 5. USE OF PERMIT FEES FOR PERMIT ADMINISTRA-**
17 **TION.**

18 (a) **DEPOSITS.**—Subject to subsection (b), revenues
19 from special recreation permits issued to recreation service
20 providers under subparagraphs (B) and (C) of section
21 803(h)(2) of the Federal Lands Recreation Enhancement
22 Act (16 U.S.C. 6802(h)(2)) shall be held in special ac-
23 counts established for each specific unit or area for which
24 such revenues are collected, and shall remain available for

1 expenditure, without further appropriation, until ex-
2 pended.

3 (b) USE OF PERMIT FEES.—Revenues from special
4 recreation permits issued to recreation service providers
5 under subparagraphs (B) and (C) of section 803(h)(2) of
6 the Federal Lands Recreation Enhancement Act (16
7 U.S.C. 6802(h)(2)) shall be used only—

8 (1) to partially offset the Secretary’s direct cost
9 of administering the permits;

10 (2) to improve and streamline the permitting
11 process; and

12 (3) for related recreation infrastructure and
13 other purposes specifically to support recreation ac-
14 tivities at the specific site for which use is author-
15 ized under the permit, after obtaining input from
16 any related permittees; provided, however, that the
17 Federal Advisory Committee Act (5 U.S.C. App. 1
18 et seq.) shall not apply to any advisory committee or
19 other group established to carry out this paragraph.

20 (c) LIMITATION ON USE OF FEES.—The Secretary
21 may not use any permit fees for biological monitoring on
22 Federal recreational lands and waters under the Endan-
23 gered Species Act of 1973 (16 U.S.C. 1531 et seq.) for
24 listed or candidate species.

1 **SEC. 6. ADJUSTMENT TO PERMIT USE REVIEWS.**

2 (a) IN GENERAL.—To the extent that the Secretary
3 utilizes permit use reviews, in reviewing and adjusting al-
4 locations of use for permits for special uses of Federal rec-
5 reational lands and waters managed by the Forest Service,
6 and in renewing such permits, the Secretary of Agriculture
7 shall allocate to a permit holder a level of use that is no
8 less than the highest amount of actual annual use over
9 the reviewed period plus 25 percent, capped at the amount
10 of use allocated when the permit was issued unless addi-
11 tional capacity is available. The Secretary may assign any
12 use remaining after adjusting allocations on a temporary
13 basis to qualified permit holders.

14 (b) WAIVER.—Use reviews under subsection (a) may
15 be waived for periods in which circumstances that pre-
16 vented use of assigned capacity, such as weather, fire, nat-
17 ural disasters, wildlife displacement, business interrup-
18 tions, insufficient availability of hunting and fishing li-
19 censes, or when allocations on permits include significant
20 shoulder seasons. The authorizing office may approve non-
21 use without reducing the number of service days assigned
22 to the permit in such circumstances at the request of the
23 permit holder. Approved non-use may be temporarily as-
24 signed to other qualified permit holders when conditions
25 warrant.

1 **SEC. 7. AUTHORIZATION OF TEMPORARY PERMITS FOR**
2 **NEW USES FOR THE FOREST SERVICE AND**
3 **BLM.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Secretary of Agriculture and the Sec-
6 retary of the Interior shall establish and implement a pro-
7 gram to authorize temporary permits for new recreational
8 uses of Federal recreational lands and waters managed by
9 the Forest Service or the Bureau of Land Management,
10 respectively, and to provide for the conversions of such
11 temporary permits to long-term permits after 2 years of
12 satisfactory operation. The issuance and conversion of
13 such permits shall be subject to subsection (h)(3) of sec-
14 tion 803 of the Federal Lands Recreation Enhancement
15 Act (16 U.S.C. 6802).

16 **SEC. 8. INDEMNIFICATION REQUIREMENTS.**

17 (a) INDEMNIFICATION.—A permit holder that is pro-
18 hibited by the State from providing indemnification to the
19 Federal Government shall be considered to be in compli-
20 ance with indemnification requirements of the Department
21 of the Interior and the Department of Agriculture if the
22 permit holder carries the required minimum amount of li-
23 ability insurance coverage or is self-insured for the same
24 minimum amount.

25 (b) EXCULPATORY AGREEMENTS.—The Secretary
26 shall not implement, administer or enforce any regulation

1 or policy prohibiting the use of exculpatory agreements be-
2 tween recreation service providers and their customers for
3 services provided under a special recreation permit.

4 **SEC. 9. STREAMLINING OF PERMITTING PROCESS.**

5 (a) REGULATIONS.—Not later than 180 days after
6 the date of the enactment of this Act, the Secretary of
7 Agriculture shall revise part 251, subpart B, of title 36
8 Code of Federal Regulations, and the Secretary of the In-
9 terior shall revise subpart 2932, of title 43, Code of Fed-
10 eral Regulations, to streamline the processes for the
11 issuance and renewal of outfitter and guide special use
12 permits. Such amended regulations shall—

13 (1) shorten application processing times and
14 minimize application and administration costs; and

15 (2) provide for the use of programmatic envi-
16 ronmental assessments and categorical exclusions for
17 environmental reviews under the National Environ-
18 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
19 for the issuance or renewal of outfitter and guide
20 and similar recreation special use permits when the
21 Secretary determines that such compliance is re-
22 quired, to the maximum extent allowable under ap-
23 plicable law, including, but not limited to, use of a
24 categorical exclusion as provided under section

1 803(h)(3) of the Federal Lands Recreation En-
2 hancement Act (16 U.S.C. 6802(h)(3)).

3 (b) ONLINE APPLICATIONS.—To the maximum ex-
4 tent practicable, where feasible and efficient, the Secretary
5 shall make special recreation permit applications available
6 to be filled out and submitted online.

7 **SEC. 10. COST RECOVERY REFORM.**

8 (a) REGULATORY PROCESS.—Not later than 180
9 days after the date of enactment of this Act, the Secretary
10 of Agriculture shall revise section 251.58 of title 36, Code
11 of Federal Regulations, and the Secretary of the Interior
12 shall revise section 2932.31(e) and (f) of title 43, Code
13 of Federal Regulations, to reduce costs and minimize the
14 burden of cost recovery on small businesses and adverse
15 impacts of cost recovery on jobs in the outfitting and guid-
16 ing industry and on rural economies provided, however,
17 that nothing in the revised regulations shall further limit
18 the Secretary's authority to issue or renew recreation spe-
19 cial use permits.

20 (b) DE MINIMIS EXEMPTION.—

21 (1) COST RECOVERY LIMITATION.—Any regula-
22 tions issued by the Secretary of the Interior or the
23 Secretary of Agriculture to establish fees to recover
24 processing costs for recreation special use applica-
25 tions and monitoring costs for recreation special use

1 authorizations shall include an exemption providing
2 that at least the first 50 hours of work necessary in
3 any one year to process and/or monitor such an ap-
4 plication shall not be subject to cost recovery. The
5 application of a 50-hour credit per permit shall also
6 apply to any monitoring fees on a per annum basis
7 during the term of each permit.

8 (2) APPLICATION OF EXEMPTION.—An exemp-
9 tion under paragraph (1) shall apply to the proc-
10 essing of each recreation special use permit applica-
11 tion and monitoring of each recreation special use
12 authorization for which cost recovery is required, in-
13 cluding any application or authorization requiring
14 more than 50 hours (or such other greater number
15 of hours specified for exemption) to process or mon-
16 itor. In the event that the amount of work required
17 to process such an application or monitor such an
18 authorization exceeds the specified exemption, the
19 amount of work for which cost recovery is required
20 shall be reduced by the amount of the exemption.

21 (3) MULTIPLE APPLICATIONS.—In situations
22 involving multiple recreation special use applications
23 for similar services in the same unit or area that re-
24 quire more than 50 hours (or such other greater
25 number of hours specified for exemption) in the ag-

1 gregate to process, the Secretary shall, regardless of
2 whether the applications are solicited or unsolicited
3 and whether there is competitive interest—

4 (A) determine the share of the aggregate
5 amount to be allocated to each application, on
6 an equal or prorated basis, as appropriate; and

7 (B) for each application, apply a separate
8 exemption of up to 50 hours (or such other
9 greater number of hours specified for exemp-
10 tion) to the share allocated to such application.

11 (4) COST REDUCTION.—The agency processing
12 a recreation special use application shall utilize ex-
13 isting studies and analysis to the greatest extent
14 practicable in order to reduce the amount of work
15 and cost necessary to process the application.

16 (5) LIMITATION.—The Secretary of the Interior
17 and the Secretary of Agriculture may not recover as
18 processing costs for recreation special use applica-
19 tions and monitoring costs for recreation special use
20 authorizations any costs for consultations conducted
21 under section 7 of the Endangered Species Act of
22 1973 (16 U.S.C. 1536) or for biological monitoring
23 on Federal recreational lands and waters under such
24 Act for listed, proposed, or candidate species.

1 (6) WAIVER OF COST RECOVERY.—The Sec-
2 retary of the Interior and the Secretary of Agri-
3 culture may waive the recovery of costs for proc-
4 essing recreation special use permit applications and
5 renewals, on a categorical or case-by-case basis as
6 appropriate, if the Secretary determines that—

7 (A) such costs would impose a significant
8 economic burden on any small business or cat-
9 egory of small businesses;

10 (B) such cost recovery could threaten the
11 ability of an applicant or permittee to provide,
12 in a particular area, a particular outdoor rec-
13 reational activity that is consistent with the
14 public interest and with applicable resource
15 management plans; or

16 (C) prevailing economic conditions are un-
17 favorable, such as during economic recessions,
18 or when drought, fire, or other natural disasters
19 have depressed economic activity in the area of
20 operation.

21 **SEC. 11. EXTENSION OF FOREST SERVICE RECREATION**
22 **PRIORITY USE PERMITS.**

23 Where the holder of a special use permit for outfitting
24 and guiding that authorizes priority use has submitted a
25 request for renewal of such permit in accordance with ap-

1 plicable laws and regulations, the Secretary of Agriculture
2 shall have the authority to grant the holder one or more
3 extensions of the existing permit for additional items not
4 to exceed 5 years in the aggregate, as necessary to allow
5 the Secretary to complete the renewal process and to avoid
6 the interruption of services under such permit. Before
7 granting an extension under this section, the Secretary
8 shall take all reasonable and appropriate steps to complete
9 the renewal process before the expiration of the special
10 use permit.

Passed the House of Representatives October 2,
2017.

Attest:

KAREN L. HAAS,
Clerk.

115TH CONGRESS
1ST SESSION

H. R. 350

To exclude vehicles used solely for competition from certain provisions of the Clean Air Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2017

Mr. MCHENRY (for himself, Mr. ABRAHAM, Mr. BOST, Mr. BUCSHON, Mr. BURGESS, Mr. CARTER of Georgia, Mr. CRAMER, Ms. FOXX, Mr. GOSAR, Mr. GRIFFITH, Mr. GROTHMAN, Mr. HUDSON, Mr. HUIZENGA, Mr. JONES, Mr. LAMALFA, Mr. LOUDERMILK, Mr. MOOLENAAR, Mr. MULLIN, Mr. PITTENGER, Mr. POSEY, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. RYAN of Ohio, Mr. WALBERG, Mrs. WALORSKI, Mrs. MIMI WALTERS of California, Mr. WESTERMAN, Mr. MCCLINTOCK, Mr. ZELDIN, Mr. NOLAN, Mr. HOLDING, Mr. BROOKS of Alabama, Mr. COOK, Mr. EMMER, Mr. RENACCI, Mr. COOPER, Mr. CUELLAR, Mr. LONG, Mr. SENSENBRENNER, Mr. BRAT, Mrs. WAGNER, Mr. TIBERI, Ms. JENKINS of Kansas, and Mr. SMITH of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To exclude vehicles used solely for competition from certain provisions of the Clean Air Act, 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 “Recognizing the Pro-
3 tection of Motorsports Act of 2017” or the “RPM Act of
4 2017”.

5 **SEC. 2. FINDINGS.**

6 The Congress finds that—

7 (1) at the time the Clean Air Act was written,
8 and each time the Clean Air Act has been amended,
9 the intent of Congress has been, and continues to
10 be, that vehicles manufactured for, modified for, or
11 utilized in organized motorized racing events would
12 not be encompassed by the Clean Air Act’s definition
13 of “motor vehicle”;

14 (2) when Congress sought to regulate nonroad
15 vehicles in 1990, it explicitly excluded from the defi-
16 nition of “nonroad vehicle” any vehicle used solely
17 for competition;

18 (3) despite the clear intent of Congress, the En-
19 vironmental Protection Agency has cited the Clean
20 Air Act as authority for regulating vehicles used
21 solely for competition; and

22 (4) the Environmental Protection Agency has
23 exceeded its statutory authority in its recent actions
24 to regulate vehicles used solely for competition.

1 **SEC. 3. EXCLUSION OF VEHICLES USED SOLELY FOR COM-**
2 **PETITION FROM THE ANTI-TAMPERING PRO-**
3 **VISIONS OF THE CLEAN AIR ACT.**

4 Section 203 of the Clean Air Act (42 U.S.C. 7522)
5 is amended by adding at the end of subsection (a) the fol-
6 lowing: “No action with respect to any device or element
7 of design referred to in paragraph (3) shall be treated as
8 a prohibited act under that paragraph if the action is for
9 the purpose of modifying a motor vehicle into a vehicle
10 to be used solely for competition.”.

11 **SEC. 4. EXCLUSION OF VEHICLES USED SOLELY FOR COM-**
12 **PETITION FROM THE DEFINITION OF MOTOR**
13 **VEHICLE IN THE CLEAN AIR ACT.**

14 Section 216 of the Clean Air Act (42 U.S.C. 7550)
15 is amended by striking “.” at the end of paragraph (2)
16 and inserting “and that is not a vehicle used solely for
17 competition, including any vehicle so used that was con-
18 verted from a motor vehicle.”.

19 **SEC. 5. IMPLEMENTATION.**

20 Not later than 12 months after the date of enactment
21 of this Act, the Administrator of the Environmental Pro-
22 tection Agency shall finalize any regulations necessary to
23 implement the amendments made by this Act.

○

115TH CONGRESS
1ST SESSION

H. R. 622

To terminate the law enforcement functions of the Forest Service and the Bureau of Land Management and to provide block grants to States for the enforcement of Federal law on Federal land under the jurisdiction of these agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2017

Mr. CHAFFETZ (for himself, Mr. STEWART, Mrs. LOVE, Mr. LAMALFA, Mr. AMODEI, Mr. MCCLINTOCK, and Mr. GOSAR) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To terminate the law enforcement functions of the Forest Service and the Bureau of Land Management and to provide block grants to States for the enforcement of Federal law on Federal land under the jurisdiction of these agencies, 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.**

4 This Act may be cited as the “Local Enforcement for
5 Local Lands Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COVERED LAW ENFORCEMENT AGENCY.—

4 The term “covered law enforcement agency”
5 means—

6 (A) the Forest Service Law Enforcement
7 and Investigations unit; and

8 (B) the Bureau of Land Management Of-
9 fice of Law Enforcement.

10 (2) FEDERAL LAND.—The term “Federal land”
11 means—

12 (A) any land and interest in land owned by
13 the United States within a State and included
14 within the National Forest System, including
15 the National Grasslands; and

16 (B) the public lands (as defined in section
17 103(e) of the Federal Land Policy and Manage-
18 ment Act of 1976 (43 U.S.C. 1702(e)).

19 (3) SECRETARY CONCERNED.—The term “Sec-
20 retary concerned” means—

21 (A) the Secretary of Agriculture, with re-
22 spect to Federal land described in subpara-
23 graph (A) of paragraph (2); and

24 (B) the Secretary of the Interior, with re-
25 spect to Federal land described in subpara-
26 graph (B) of paragraph (2).

1 (4) STATE.—The term “State” means each of
2 the several States and the Commonwealth of Puerto
3 Rico.

4 (5) UNIT OF LOCAL GOVERNMENT.—The term
5 “unit of local government” means—

6 (A) any city, county, township, town, bor-
7 ough, parish, village, or other general purpose
8 political subdivision of a State; or

9 (B) an Indian tribe which performs law en-
10 forcement or emergency response functions as
11 determined by the Secretary of the Interior.

12 **SEC. 3. TERMINATION OF FOREST SERVICE AND BUREAU**
13 **OF LAND MANAGEMENT AGENCY LAW EN-**
14 **FORCEMENT AGENCIES AND LAW ENFORCE-**
15 **MENT FUNCTIONS.**

16 (a) FOREST SERVICE.—Not later than September 30,
17 2017, the Secretary of Agriculture shall terminate the
18 Forest Service Law Enforcement and Investigations unit
19 and cease using employees of the Forest Service to per-
20 form law enforcement functions on Federal land.

21 (b) DEPARTMENT OF THE INTERIOR.—Not later
22 than September 30, 2017, the Secretary of the Interior
23 shall terminate the Bureau of Land Management Office
24 of Law Enforcement and cease using employees of the De-

1 partment of the Interior to perform law enforcement func-
2 tions on Federal land.

3 (c) TERMINATION OF AUTHORIZATION OF APPRO-
4 PRIATIONS.—Beginning with fiscal year 2018 and each
5 fiscal year thereafter, no amounts are authorized to be ap-
6 propriated to the Secretary concerned for a covered law
7 enforcement agency or for Federal law enforcement func-
8 tions on Federal land.

9 (d) NO EFFECT ON AUTHORITY TO CARRY FIRE-
10 ARMS.—Nothing in this Act shall be construed to limit the
11 authority of the Secretary concerned to authorize an em-
12 ployee of the Forest Service or the Bureau of Land Man-
13 agement to carry a firearm for protection while in the
14 field.

15 **SEC. 4. BLOCK GRANTS TO STATES FOR ENFORCEMENT OF**
16 **FEDERAL LAW ON FEDERAL LAND.**

17 (a) GRANTS REQUIRED; PURPOSE.—For fiscal year
18 2018 and each fiscal year thereafter, the Secretary of the
19 Interior shall make a grant to each State for the purpose
20 of permitting the State, directly or through subgrants with
21 units of local government in that State, to maintain law
22 and order on Federal land, protect individuals and prop-
23 erty on Federal land, and enforce Federal law. Grant
24 funds shall be used only to carry out law enforcement
25 functions on Federal land.

1 (b) DETERMINATION OF GRANT AMOUNT.—

2 (1) GRANT FORMULA.—A State shall receive a
3 grant under subsection (a) for a fiscal year in an
4 amount equal to the product of—

5 (A) the percentage determined under para-
6 graph (2) for that State; and

7 (B) the total amount appropriated to the
8 Secretary of the Interior for that fiscal year
9 pursuant to the authorization of appropriations
10 in subsection (d).

11 (2) STATE PERCENTAGE.—The percentage for a
12 State for purposes of paragraph (1) for a fiscal year
13 shall be equal to the sum of the following:

14 (A) Thirty percent of the percentage deter-
15 mined by comparing the total acreage of Fed-
16 eral land in that State at the end of the pre-
17 ceding fiscal year and the total acreage of Fed-
18 eral land in all States at the end of the pre-
19 ceding fiscal year.

20 (B) Seventy percent of the percentage de-
21 termined by comparing the total number of em-
22 ployees of the covered law enforcement agencies
23 assigned to that State as of September 30,
24 2016, and the total number of all employees of

1 the covered law enforcement agencies as of that
2 date.

3 (c) REPORT ON EXPENDITURES.—A State or unit of
4 local government receiving a grant or subgrant under this
5 section shall submit to the Secretary of the Interior an
6 annual report—

7 (1) certifying that the grant funds were used
8 only for the Federal land law enforcement functions
9 specified in subsection (a);

10 (2) accounting for all expenditures incurred by
11 the State or unit of local government in connection
12 with performing such law enforcement functions on
13 Federal land; and

14 (3) indicating whether grant funds were suffi-
15 cient or insufficient to cover such expenditures.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—On ac-
17 count of the reduced costs to be incurred by the Secretary
18 concerned as a result of the termination of the covered
19 law enforcement agencies, for fiscal year 2018 and each
20 fiscal year thereafter, there is authorized to be appro-
21 priated to the Secretary of the Interior to make grants
22 under this section—

23 (1) an amount equal to seven percent of the
24 Forest Service budget for fiscal year 2016;

1 (2) an amount equal to five percent of the Bu-
2 reau of Land Management budget for fiscal year
3 2016; and

4 (3) such additional amounts as the Secretary
5 concerned considers to be necessary for law enforce-
6 ment functions on Federal land for a fiscal year, to
7 be included in the materials submitted to Congress
8 by the Secretary concerned in support of the budget
9 of the President for that fiscal year under section
10 1105(a) of title 31, United States Code.

11 **SEC. 5. STATE AND LOCAL AGREEMENTS FOR LAW EN-**
12 **FORCEMENT FUNCTIONS ON FEDERAL LAND.**

13 (a) **AGREEMENT REQUIRED.**—As a condition of a
14 grant or subgrant under section 4, the State or unit of
15 local government receiving the grant or subgrant and the
16 Secretary concerned shall enter into an agreement, con-
17 sistent with this section, to address the maintenance of
18 law and order and the protection of individuals and prop-
19 erty on Federal land.

20 (b) **POWERS AND DUTIES OF LAW ENFORCEMENT**
21 **PERSONNEL.**—The agreement under subsection (a) be-
22 tween a State or unit of local government receiving a grant
23 or subgrant and the Secretary concerned shall authorize
24 designated law enforcement officers of the State or unit
25 of local government—

1 (1) to carry firearms on Federal land;

2 (2) make arrests without warrant for any of-
3 fense against the United States committed in the
4 presence of the law enforcement officer, or for any
5 felony cognizable under the laws of the United
6 States if the law enforcement officer has reasonable
7 grounds to believe that the individual to be arrested
8 has committed or is committing the felony, provided
9 the arrests occur on Federal land or within the State
10 or local jurisdiction of the law enforcement officer or
11 the individual to be arrested is fleeing from the Fed-
12 eral land;

13 (3) execute any warrant or other process issued
14 by a court or officer of competent jurisdiction for
15 the enforcement of the provisions of any Federal law
16 or regulation issued pursuant to law arising out of
17 an offense committed on Federal land or, where the
18 individual subject to the warrant or process is on
19 Federal land, in connection with any Federal of-
20 fense; and

21 (4) conduct investigations of offenses against
22 the United States committed on Federal land in the
23 absence of investigation of the offenses by any other
24 Federal law enforcement agency having investigative

1 jurisdiction over the offense committed or with the
2 concurrence of the other agency.

3 (c) INDEMNIFY AND SAVE HARMLESS.—The Sec-
4 retary concerned shall waive, in any agreement under sub-
5 section (a) with a State or unit of local government, all
6 civil claims against the State or unit of local government
7 and, subject to available appropriations, indemnify and
8 save harmless the State or unit of local government from
9 all claims by third parties for property damage or personal
10 injury, that may arise out of law enforcement functions
11 performed under the agreement.

12 (d) LAW ENFORCEMENT PERSONNEL NOT DEEMED
13 FEDERAL EMPLOYEES.—

14 (1) IN GENERAL.—Except as otherwise pro-
15 vided in this subsection, a law enforcement officer of
16 a State or unit of local government performing law
17 enforcement functions pursuant to an agreement
18 under subsection (a) shall not be deemed a Federal
19 employee and shall not be subject to the provisions
20 of law relating to Federal employment, including
21 those relating to hours of work, rates of compensa-
22 tion, leave, unemployment compensation, and Fed-
23 eral benefits.

24 (2) EXCEPTIONS.—A law enforcement officer of
25 a State or unit of local government performing law

1 enforcement functions pursuant to an agreement
2 under subsection (a) is deemed to be—

3 (A) a Federal employee for purposes of
4 sections 1346(b) and 2401(b) and chapter 171
5 of title 28, United States Code; and

6 (B) a civil service employee of the United
7 States within the meaning of the term “em-
8 ployee” as defined in section 8101 of title 5,
9 United States Code, for purposes of subchapter
10 I of chapter 81 of such title, relating to com-
11 pensation to Federal employees for work inju-
12 ries, and the provisions of subchapter I of chap-
13 ter 81 of such title shall apply.

14 (e) FEDERAL INVESTIGATIVE JURISDICTION AND
15 STATE CIVIL AND CRIMINAL JURISDICTION NOT PRE-
16 EMPTED.—This section shall not be construed or ap-
17 plied—

18 (1) to limit or restrict the investigative jurisdic-
19 tion of any Federal law enforcement agency other
20 than a covered law enforcement agency; and

21 (2) to affect any right of a State or unit of local
22 government to exercise civil and criminal jurisdiction
23 on Federal land.

24 (f) CONFORMING AMENDMENTS.—

1 (1) FOREST SERVICE.—Section 15003 of the
2 National Forest System Drug Control Act of 1986
3 (16 U.S.C. 559e) is repealed.

4 (2) BUREAU OF LAND MANAGEMENT.—Section
5 303(c)(2) of the Federal Land Policy and Manage-
6 ment Act of 1976 (43 U.S.C. 1733(c)(2)) is amend-
7 ed by striking “may authorize Federal personnel or”
8 and inserting “shall authorize”.

○

115TH CONGRESS
1ST SESSION

H. R. 827

To establish certain conservation and recreation areas in the State of California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2017

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

A BILL

To establish certain conservation and recreation areas in the State of California, 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.**

4 This Act may be cited as the “Imperial Valley Desert
5 Conservation and Recreation Act”.

6 **SEC. 2. TRANSFER OF LAND TO ANZA-BORREGO DESERT**

7 **STATE PARK, CALIFORNIA.**

8 (a) IN GENERAL.—On termination of all mining
9 claims to the land described in paragraph (2), the Sec-

1 retary shall transfer the land described in that paragraph
2 to the State.

3 (b) DESCRIPTION OF LAND.—The land referred to in
4 paragraph (1) is certain Bureau of Land Management
5 land in San Diego County, California, comprising approxi-
6 mately 934 acres, as generally depicted on the map enti-
7 tled “Table Mountain Wilderness Study Area Proposed
8 Transfer to the State” and dated March 17, 2015.

9 (c) MANAGEMENT.—

10 (1) IN GENERAL.—The land transferred under
11 paragraph (1) shall be managed in accordance with
12 the provisions of the California Wilderness Act (Cali-
13 fornia Public Resources Code sections 5093.30–
14 5093.40).

15 (2) WITHDRAWAL.—Subject to valid existing
16 rights, the land transferred under paragraph (1) is
17 withdrawn from—

18 (A) all forms of entry, appropriation, or
19 disposal under the public land laws;

20 (B) location, entry, and patent under the
21 mining laws; and

22 (C) disposition under all laws relating to
23 mineral and geothermal leasing.

24 (3) REVERSION.—If the State ceases to manage
25 the land transferred under paragraph (1) as part of

1 the State Park System or in a manner inconsistent
2 with the California Wilderness Act (California Public
3 Resources Code sections 5093.30–5093.40), the land
4 shall revert to the Secretary at the discretion of the
5 Secretary, to be managed as a Wilderness Study
6 Area.

7 **SEC. 3. HOLTVILLE AIRPORT, IMPERIAL COUNTY.**

8 (a) IN GENERAL.—On the submission of an applica-
9 tion by Imperial County, California, the Secretary of
10 Transportation shall, in accordance with section 47125 of
11 title 49, United States Code, and section 2641.1 of title
12 43, Code of Federal Regulations (or successor regulations)
13 seek a conveyance from the Secretary of approximately
14 3,500 acres of Bureau of Land Management land adjacent
15 to the Imperial County Holtville Airport (L04) for the
16 purposes of airport expansion.

17 (b) SEGREGATION.—The Secretary (acting through
18 the Director of the Bureau of Land Management) shall,
19 with respect to the land to be conveyed under subsection
20 (a)—

21 (1) segregate the land;

22 (2) endeavor to develop a joint Memorandum of
23 Understanding with the Imperial County Board of
24 Supervisors, the Department of Defense, and the
25 Department of Transportation; such an agreement

1 shall not impose any obligation, term, or condition
2 on the property owned by Imperial County; and

3 (3) prohibit the appropriation of the land
4 until—

5 (A) the date on which a joint Memo-
6 randum of Understanding is signed by the par-
7 ties listed in paragraph (2);

8 (B) the date on which a notice of realty ac-
9 tion terminates the application; and

10 (C) the date on which a document of con-
11 veyance is published.

12 **SEC. 4. VINAGRE WASH SPECIAL MANAGEMENT AREA.**

13 (a) ESTABLISHMENT.—There is established the
14 Vinagre Wash Special Management Area in the State, to
15 be managed by the El Centro Field Office and the Yuma
16 Field Office of the Bureau of Land Management.

17 (b) PURPOSE.—The purpose of the Management
18 Area is to conserve, protect, and enhance—

19 (1) the plant and wildlife values of the Manage-
20 ment Area; and

21 (2) the outstanding and nationally significant
22 ecological, geological, scenic, recreational, archae-
23 ological, cultural, historic, and other resources of the
24 Management Area.

1 (c) BOUNDARIES.—The Management Area shall con-
2 sist of the public land in Imperial County, California, com-
3 prising approximately 81,880 acres, as generally depicted
4 on the map.

5 (d) MAP; LEGAL DESCRIPTION.—

6 (1) IN GENERAL.—As soon as practicable, but
7 not later than 3 years, after the date of enactment
8 of this title, the Secretary shall submit a map and
9 legal description of the Management Area to—

10 (A) the Committee on Natural Resources
11 of the House of Representatives; and

12 (B) the Committee on Energy and Natural
13 Resources of the Senate.

14 (2) EFFECT.—The map and legal description
15 submitted under paragraph (1) shall have the same
16 force and effect as if included in this title, except
17 that the Secretary may correct any errors in the
18 map and legal description.

19 (3) AVAILABILITY.—Copies of the map sub-
20 mitted under paragraph (1) shall be on file and
21 available for public inspection in—

22 (A) the Office of the Director of the Bu-
23 reau of Land Management; and

24 (B) the appropriate office of the Bureau of
25 Land Management in the State.

1 **SEC. 5. MANAGEMENT.**

2 (a) IN GENERAL.—The Secretary shall allow hiking,
3 camping, hunting, and sightseeing and the use of motor-
4 ized vehicles, mountain bikes, and horses on designated
5 routes in the Management Area in a manner that—

6 (1) is consistent with the purpose of the Man-
7 agement Area described in section 4(b);

8 (2) ensures public health and safety; and

9 (3) is consistent with applicable laws and regu-
10 lations, including the Desert Renewable Energy Con-
11 servation Plan.

12 (b) OFF-HIGHWAY VEHICLE USE.—

13 (1) IN GENERAL.—Subject to paragraphs (2)
14 and (3) and all other applicable laws, the use of off-
15 highway vehicles shall be permitted on routes in the
16 Management Area generally depicted on the map.

17 (2) CLOSURE.—The Secretary may temporarily
18 close or permanently reroute a portion of a route de-
19 scribed in paragraph (1)—

20 (A) to prevent, or allow for restoration of,
21 resource damage;

22 (B) to protect tribal cultural resources, in-
23 cluding the resources identified in the tribal cul-
24 tural resources management plan;

25 (C) to address public safety concerns; or

26 (D) as otherwise required by law.

1 (3) DESIGNATION OF ADDITIONAL ROUTES.—
2 During the 3-year period beginning on the date of
3 enactment of this title, the Secretary—

4 (A) shall accept petitions from the public
5 regarding additional routes for off-highway ve-
6 hicles; and

7 (B) may designate additional routes that
8 the Secretary determines—

9 (i) would provide significant or unique
10 recreational opportunities; and

11 (ii) are consistent with the purposes
12 of the Management Area.

13 (c) WITHDRAWAL.—Subject to valid existing rights,
14 all Federal land within the Management Area is with-
15 drawn from—

16 (1) all forms of entry, appropriation, or disposal
17 under the public land laws;

18 (2) location, entry, and patent under the mining
19 laws; and

20 (3) right-of-way, leasing, or disposition under
21 all laws relating to—

22 (A) minerals; or

23 (B) solar, wind, and geothermal energy.

24 (d) NO BUFFERS.—The establishment of the Man-
25 agement Area shall not—

1 (1) create a protective perimeter or buffer zone
2 around the Management Area; or

3 (2) preclude uses or activities outside the Man-
4 agement Area that are permitted under other appli-
5 cable laws, even if the uses or activities are prohib-
6 ited within the Management Area.

7 (e) NOTICE OF AVAILABLE ROUTES.—The Secretary
8 shall ensure that visitors to the Management Area have
9 access to adequate notice relating to the availability of des-
10 ignated routes in the Management Area through—

11 (1) the placement of appropriate signage along
12 the designated routes;

13 (2) the distribution of maps, safety education
14 materials, and other information that the Secretary
15 determines to be appropriate; and

16 (3) restoration of areas that are not designated
17 as open routes, including vertical mulching.

18 (f) STEWARDSHIP.—The Secretary, in consultation
19 with Indian tribes and other interests, shall develop a pro-
20 gram to provide opportunities for monitoring and steward-
21 ship of the Management Area to minimize environmental
22 impacts and prevent resource damage from recreational
23 use, including volunteer assistance with—

24 (1) route signage;

25 (2) restoration of closed routes;

- 1 (3) protection of Management Area resources;
2 and
3 (4) recreation education.

4 (g) PROTECTION OF TRIBAL CULTURAL RE-
5 SOURCES.—Not later than 2 years after the date of enact-
6 ment of this title, the Secretary, in accordance with chap-
7 ter 2003 of title 54, United States Code, and any other
8 applicable law, shall—

9 (1) prepare and complete a tribal cultural re-
10 sources survey of the Management Area; and

11 (2) consult with the Quechan Indian Nation
12 and other Indian tribes demonstrating ancestral, cul-
13 tural, or other ties to the resources within the Man-
14 agement Area on the development and implementa-
15 tion of the tribal cultural resources survey under
16 paragraph (1).

17 **SEC. 6. POTENTIAL WILDERNESS.**

18 (a) PROTECTION OF WILDERNESS CHARACTER.—

19 (1) IN GENERAL.—The Secretary shall manage
20 the Federal land in the Management Area described
21 in paragraph (2) in a manner that preserves the
22 character of the land for the eventual inclusion of
23 the land in the National Wilderness Preservation
24 System.

1 (2) DESCRIPTION OF LAND.—The Federal land
2 described in this paragraph is—

3 (A) the approximately 10,860 acres of
4 land, as generally depicted as the Indian Pass
5 Additions on the map entitled “Vinagre Wash
6 Proposed Special Management Area” and dated
7 November 10, 2009;

8 (B) the approximately 17,250 acres of
9 land, as generally depicted as Milpitas Wash
10 Potential Wilderness on the map entitled
11 “Vinagre Wash Proposed Special Management
12 Area” and dated November 10, 2009;

13 (C) the approximately 11,840 acres of
14 land, as generally depicted as Buzzards Peak
15 Potential Wilderness on the map entitled
16 “Vinagre Wash Proposed Special Management
17 Area” and dated November 10, 2009; and

18 (D) the approximately 9,350 acres of land,
19 as generally depicted as Palo Verde Mountains
20 Potential Wilderness on the map entitled
21 “Vinagre Wash Proposed Special Management
22 Area” and dated November 10, 2009.

23 (3) USE OF LAND.—

24 (A) MILITARY USES.—The Secretary shall
25 manage the Federal land in the Management

1 Area described in paragraph (2) in a manner
2 that is consistent with the Wilderness Act (16
3 U.S.C. 1131 et seq.), except that the Secretary
4 may authorize use of the land by the Secretary
5 of the Navy for Naval Special Warfare Tactical
6 Training, including long-range small unit train-
7 ing and navigation, vehicle concealment, and ve-
8 hicle sustainment training, in accordance with
9 applicable Federal laws.

10 (B) PROHIBITED USES.—The following
11 shall be prohibited on the Federal land de-
12 scribed in paragraph (2):

13 (i) Permanent roads.

14 (ii) Commercial enterprises.

15 (iii) Except as necessary to meet the
16 minimum requirements for the administra-
17 tion of the Federal land and to protect
18 public health and safety—

19 (I) the use of mechanized vehi-
20 cles; and

21 (II) the establishment of tem-
22 porary roads.

23 (4) WILDERNESS DESIGNATION.—

24 (A) IN GENERAL.—The Federal land de-
25 scribed in paragraph (2) shall be designated as

1 wilderness and as a component of the National
2 Wilderness Preservation System on the date on
3 which the Secretary, in consultation with the
4 Secretary of Defense, publishes a notice in the
5 Federal Register that all activities on the Fed-
6 eral land that are incompatible with the Wilder-
7 ness Act (16 U.S.C. 1131 et seq.) have termi-
8 nated.

9 (B) DESIGNATION.—On designation of the
10 Federal land under clause (i)—

11 (i) the land described in paragraph
12 (2)(A) shall be incorporated in, and shall
13 be considered to be a part of, the Indian
14 Pass Wilderness;

15 (ii) the land described in paragraph
16 (2)(B) shall be designated as the “Milpitas
17 Wash Wilderness”;

18 (iii) the land described in paragraph
19 (2)(C) shall be designated as the “Buzzard
20 Peak Wilderness”; and

21 (iv) the land described in paragraph
22 (2)(D) shall be incorporated in, and shall
23 be considered to be a part of, the Palo
24 Verde Mountains Wilderness.

1 (b) ADMINISTRATION OF WILDERNESS.—Subject to
2 valid existing rights, the land designated as wilderness or
3 as a wilderness addition by this title shall be administered
4 by the Secretary in accordance with this Act and the Wil-
5 derness Act (16 U.S.C. 1131 et seq.).

6 **SEC. 7. DEFINITIONS.**

7 In this Act:

8 (1) MANAGEMENT AREA.—The term “Manage-
9 ment Area” means the Vinagre Wash Special Man-
10 agement Area.

11 (2) MAP.—The term “map” means the map en-
12 titled “Vinagre Wash Proposed Special Management
13 Area; Indian Pass Mountains and Palo Verde Moun-
14 tains Potential Wilderness Additions, and Buzzards
15 Peak, Milpitas Wash Potential Wilderness” and
16 dated February 19, 2015.

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

21 (4) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

23 (5) STATE.—The term “State” means the State
24 of California.

○

115TH CONGRESS
1ST SESSION

H. R. 857

To provide for conservation and enhanced recreation activities in the California Desert Conservation Area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2017

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

A BILL

To provide for conservation and enhanced recreation activities in the California Desert Conservation Area, 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 “California Off-Road Recreation and Conservation Act”.

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. California Off-Road Recreation and Conservation.
- Sec. 3. Visitor center.
- Sec. 4. California State school land.

Sec. 5. Designation of wild and scenic rivers.

Sec. 6. Conforming amendments.

1 **SEC. 2. CALIFORNIA OFF-ROAD RECREATION AND CON-**
 2 **SERVATION.**

3 Public Law 103–433 (16 U.S.C. 410aaa et seq.) is
 4 amended by adding at the end the following:

5 **“TITLE XIII—WILDERNESS**

6 **“SEC. 1301. DESIGNATION OF WILDERNESS AREAS.**

7 “(a) DESIGNATION OF WILDERNESS AREAS TO BE
 8 ADMINISTERED BY THE BUREAU OF LAND MANAGE-
 9 MENT.—In accordance with the Wilderness Act (16 U.S.C.
 10 1131 et seq.) and sections 601 and 603 of the Federal
 11 Land Policy and Management Act of 1976 (43 U.S.C.
 12 1781, 1782), the following land in the State is designated
 13 as wilderness areas and as components of the National
 14 Wilderness Preservation System:

15 “(1) AVAWATZ MOUNTAINS WILDERNESS.—Cer-
 16 tain land in the Conservation Area administered by
 17 the Director of the Bureau of Land Management,
 18 comprising approximately 91,800 acres, as generally
 19 depicted on the map entitled ‘Avawatz Mountains
 20 Proposed Wilderness’ and dated June 30, 2015, to
 21 be known as the ‘Avawatz Mountains Wilderness’.

22 “(2) GOLDEN VALLEY WILDERNESS.—Certain
 23 land in the Conservation Area administered by the
 24 Director of the Bureau of Land Management, com-

1 prising approximately 1,250 acres, as generally de-
2 picted on the map entitled ‘Golden Valley Proposed
3 Wilderness Additions’ and dated June 22, 2015,
4 which shall be considered to be part of the ‘Golden
5 Valley Wilderness’.

6 “(3) GREAT FALLS BASIN WILDERNESS.—

7 “(A) IN GENERAL.—Certain land in the
8 Conservation Area administered by the Director
9 of the Bureau of Land Management, com-
10 prising approximately 7,870 acres, as generally
11 depicted on the map entitled ‘Great Falls Basin
12 Proposed Wilderness’ and dated April 29, 2015,
13 to be known as the ‘Great Falls Basin Wilder-
14 ness’.

15 “(B) LIMITATIONS.—Designation of the
16 wilderness under subparagraph (A) shall not es-
17 tablish a Class I Airshed under the Clean Air
18 Act (42 U.S.C. 7401 et seq.).

19 “(4) KINGSTON RANGE WILDERNESS.—Certain
20 land in the Conservation Area administered by the
21 Bureau of Land Management, comprising approxi-
22 mately 53,320 acres, as generally depicted on the
23 map entitled ‘Kingston Range Proposed Wilderness
24 Additions’ and dated February 18, 2015, which shall

1 be considered to be a part of as the ‘Kingston Range
2 Wilderness’.

3 “(5) SODA MOUNTAINS WILDERNESS.—Certain
4 land in the Conservation Area, administered by the
5 Bureau of Land Management, comprising approxi-
6 mately 79,990 acres, as generally depicted on the
7 map entitled ‘Soda Mountains Proposed Wilderness’
8 and dated February 18, 2015, to be known as the
9 ‘Soda Mountains Wilderness’.

10 “(b) DESIGNATION OF WILDERNESS AREAS TO BE
11 ADMINISTERED BY THE NATIONAL PARK SERVICE.—In
12 accordance with the Wilderness Act (16 U.S.C. 1131 et
13 seq.) and sections 601 and 603 of the Federal Land Policy
14 and Management Act of 1976 (43 U.S.C. 1781, 1782),
15 the following land in the State is designated as wilderness
16 areas and as components of the National Wilderness Pres-
17 ervation System:

18 “(1) DEATH VALLEY NATIONAL PARK WILDER-
19 NESS ADDITIONS-NORTH EUREKA VALLEY.—Certain
20 land in the Conservation Area administered by the
21 Director of the National Park Service, comprising
22 approximately 11,496 acres, as generally depicted on
23 the map entitled ‘Death Valley National Park Pro-
24 posed Wilderness Area-North Eureka Valley’, num-
25 bered 143/100,082C, and dated October 7, 2014,

1 which shall be considered to be a part of the Death
2 Valley National Park Wilderness.

3 “(2) DEATH VALLEY NATIONAL PARK WILDER-
4 NESS ADDITIONS-IBEX.—Certain land in the Con-
5 servation Area administered by the Director of the
6 National Park Service, comprising approximately
7 23,650 acres, as generally depicted on the map enti-
8 tled ‘Death Valley National Park Proposed Wilder-
9 ness Area-Ibex’, numbered 143/100,081C, and dated
10 October 7, 2014, which shall be considered to be a
11 part of the Death Valley National Park Wilderness.

12 “(3) DEATH VALLEY NATIONAL PARK WILDER-
13 NESS ADDITIONS-PANAMINT VALLEY.—Certain land
14 in the Conservation Area administered by the Direc-
15 tor of the National Park Service, comprising ap-
16 proximately 4,807 acres, as generally depicted on the
17 map entitled ‘Death Valley National Park Proposed
18 Wilderness Area-Panamint Valley’, numbered 143/
19 100,083C, and dated October 7, 2014, which shall
20 be considered to be a part of the Death Valley Na-
21 tional Park Wilderness.

22 “(4) DEATH VALLEY NATIONAL PARK WILDER-
23 NESS ADDITIONS-WARM SPRINGS.—Certain land in
24 the Conservation Area administered by the Director
25 of the National Park Service, comprising approxi-

1 mately 10,485 acres, as generally depicted on the
2 map entitled ‘Death Valley National Park Proposed
3 Wilderness Area-Warm Spring Canyon/Galena Can-
4 yon’, numbered 143/100,084C, and dated October 7,
5 2014, which shall be considered to be a part of the
6 Death Valley National Park Wilderness.

7 “(5) DEATH VALLEY NATIONAL PARK WILDER-
8 NESS ADDITIONS-AXE HEAD.—Certain land in the
9 Conservation Area administered by the Director of
10 the National Park Service, comprising approximately
11 8,638 acres, as generally depicted on the map enti-
12 tled ‘Death Valley National Park Proposed Wilder-
13 ness Area-Axe Head’, numbered 143/100,085C, and
14 dated October 7, 2014, which shall be considered to
15 be a part of the Death Valley National Park Wilder-
16 ness.

17 “(6) DEATH VALLEY NATIONAL PARK WILDER-
18 NESS ADDITIONS-BOWLING ALLEY.—Certain land in
19 the Conservation Area administered by the Director
20 of the Bureau of Land Management, comprising ap-
21 proximately 28,923 acres, as generally depicted on
22 the map entitled ‘Death Valley National Park Pro-
23 posed Wilderness Area-Bowling Alley’, numbered
24 143/128,606, and dated May 14, 2015, which shall

1 be considered to be a part of the Death Valley Na-
2 tional Park Wilderness.

3 “(c) DESIGNATION OF WILDERNESS AREA TO BE
4 ADMINISTERED BY THE FOREST SERVICE.—

5 “(1) IN GENERAL.—In accordance with the Wil-
6 derness Act (16 U.S.C. 1131 et seq.), the land in
7 the State described in paragraph (2) is designated
8 as a wilderness area and as a component of the Na-
9 tional Wilderness Preservation System.

10 “(2) DESCRIPTION OF LAND.—The land re-
11 ferred to in paragraph (1) is certain land in the San
12 Bernardino National Forest, comprising approxi-
13 mately 7,141 acres, as generally depicted on the
14 map entitled ‘San Gorgonio Proposed Wilderness
15 Expansion,’ dated November 2, 2016, which shall
16 considered to be a part of the San Gorgonio Wilder-
17 ness.

18 “(3) FIRE MANAGEMENT AND RELATED ACTIVI-
19 TIES.—

20 “(A) IN GENERAL.—The Secretary may
21 carry out such activities in the wilderness area
22 designated by paragraph (1) as are necessary
23 for the control of fire, insects, and disease, in
24 accordance with section 4(d)(1) of the Wilder-

1 ness Act (16 U.S.C. 1133(d)(1)) and House
2 Report 98–40 of the 98th Congress.

3 “(B) FUNDING PRIORITIES.—Nothing in
4 this subsection limits the provision of any fund-
5 ing for fire or fuel management in the wilder-
6 ness area designated by paragraph (1).

7 “(C) REVISION AND DEVELOPMENT OF
8 LOCAL FIRE MANAGEMENT PLANS.—As soon as
9 practicable after the date of enactment of this
10 title, the Secretary shall amend the local fire
11 management plans that apply to the wilderness
12 area designated by paragraph (1).

13 “(D) ADMINISTRATION.—In accordance
14 with subparagraph (A) and other applicable
15 Federal law, to ensure a timely and efficient re-
16 sponse to fire emergencies in the wilderness
17 area designated by paragraph (1), the Secretary
18 shall—

19 “(i) not later than 1 year after the
20 date of enactment of this title, establish
21 agency approval procedures (including ap-
22 propriate delegations of authority to the
23 Forest Supervisor, District Manager, or
24 other agency officials) for responding to

1 fire emergencies in the wilderness area des-
2 ignated by paragraph (1); and

3 “(ii) enter into agreements with ap-
4 propriate State or local firefighting agen-
5 cies relating to that wilderness area.

6 **“SEC. 1302. MANAGEMENT.**

7 “(a) ADJACENT MANAGEMENT.—

8 “(1) IN GENERAL.—Nothing in this title creates
9 any protective perimeter or buffer zone around the
10 wilderness areas designated by section 1301.

11 “(2) ACTIVITIES OUTSIDE WILDERNESS
12 AREAS.—

13 “(A) IN GENERAL.—The fact that an ac-
14 tivity (including military activities) or use on
15 land outside a wilderness area designated by
16 section 1301 can be seen or heard within the
17 wilderness area shall not preclude or restrict
18 the activity or use outside the boundary of the
19 wilderness area.

20 “(B) EFFECT ON NONWILDERNESS ACTIVI-
21 TIES.—

22 “(i) IN GENERAL.—In any permitting
23 proceeding (including a review under the
24 National Environmental Policy Act of
25 1969 (42 U.S.C. 4321 et seq.)) conducted

1 with respect to a project described in
2 clause (ii) that is formally initiated
3 through a notice in the Federal Register
4 before December 31, 2013, the consider-
5 ation of any visual, noise, or other impacts
6 of the project on a wilderness area des-
7 ignated by section 1301 shall be conducted
8 based on the status of the area before des-
9 ignation as wilderness.

10 “(ii) DESCRIPTION OF PROJECTS.—A
11 project referred to in clause (i) is a renew-
12 able energy project or associated energy
13 transport facility project—

14 “(I) for which the Bureau of
15 Land Management has received a
16 right-of-way use application on or be-
17 fore the date of enactment of this
18 title; and

19 “(II) that is located outside the
20 boundary of a wilderness area des-
21 ignated by section 1301.

22 “(3) NO ADDITIONAL REGULATION.—Nothing
23 in this title requires additional regulation of activi-
24 ties on land outside the boundary of the wilderness
25 areas.

1 “(4) EFFECT ON MILITARY OPERATIONS.—
2 Nothing in this title alters any authority of the Sec-
3 retary of Defense to conduct any military operations
4 at desert installations, facilities, and ranges of the
5 State that are authorized under any other provision
6 of law.

7 “(5) EFFECT ON UTILITY FACILITIES AND
8 RIGHTS-OF-WAY.—

9 “(A) IN GENERAL.—Subject to paragraph
10 (2), nothing in this title terminates or precludes
11 the renewal or reauthorization of any valid ex-
12 isting right-of-way or customary operation,
13 maintenance, repair, upgrading, or replacement
14 activities in a right-of-way, issued, granted, or
15 permitted to the Southern California Edison
16 Company or predecessors, successors, or assigns
17 of the Southern California Edison Company
18 that is located on land included in the San
19 Gorgonio Wilderness Area or the Sand to Snow
20 National Monument.

21 “(B) LIMITATION.—The activities de-
22 scribed in subparagraph (A) shall be conducted
23 in a manner that minimizes the impact of the
24 activities resources of the San Gorgonio Wilder-

1 ness Area or the Sand to Snow National Monu-
2 ment.

3 “(C) APPLICABLE LAW.—In accordance
4 with the National Environmental Policy Act of
5 1969 (42 U.S.C. 4321 et seq.), any approval re-
6 quired for an increase in the voltage of the
7 Coachella distribution circuit shall require con-
8 sideration of alternative alignments, including
9 alignments adjacent to State Route 62.

10 “(b) MAPS; LEGAL DESCRIPTIONS.—

11 “(1) IN GENERAL.—As soon as practicable
12 after the date of enactment of this title, the Sec-
13 retary shall file a map and legal description of each
14 wilderness area and wilderness addition designated
15 by section 1301 with—

16 “(A) the Committee on Natural Resources
17 of the House of Representatives; and

18 “(B) the Committee on Energy and Nat-
19 ural Resources of the Senate.

20 “(2) FORCE OF LAW.—A map and legal de-
21 scription filed under paragraph (1) shall have the
22 same force and effect as if included in this title, ex-
23 cept that the Secretary may correct errors in the
24 maps and legal descriptions.

1 “(3) PUBLIC AVAILABILITY.—Each map and
2 legal description filed under paragraph (1) shall be
3 filed and made available for public inspection in the
4 appropriate office of the Secretary.

5 “(c) ADMINISTRATION.—Subject to valid existing
6 rights, the land designated as wilderness or as a wilder-
7 ness addition by section 1301 shall be administered by the
8 Secretary in accordance with this Act and the Wilderness
9 Act (16 U.S.C. 1131 et seq.), except that any reference
10 in that Act to the effective date shall be considered to be
11 a reference to the date of enactment of this title.

12 **“SEC. 1303. RELEASE OF WILDERNESS STUDY AREAS.**

13 “(a) FINDING.—Congress finds that, for purposes of
14 section 603 of the Federal Land Policy and Management
15 Act of 1976 (43 U.S.C. 1782), any portion of a wilderness
16 study area described in subsection (b) that is not des-
17 ignated as a wilderness area or wilderness addition by sec-
18 tion 1301 or any other Act enacted before the date of en-
19 actment of this title has been adequately studied for wil-
20 derness.

21 “(b) DESCRIPTION OF STUDY AREAS.—The study
22 areas referred to in subsection (a) are—

23 “(1) the Cady Mountains Wilderness Study
24 Area;

1 “(2) the Kingston Range Wilderness Study
2 Area;

3 “(3) the Avawatz Mountain Wilderness Study
4 Area;

5 “(4) the Death Valley National Park Boundary
6 and Wilderness 17 Wilderness Study Area;

7 “(5) the Great Falls Basin Wilderness Study
8 Area; and

9 “(6) the Soda Mountains Wilderness Study
10 Area.

11 “(c) RELEASE.—Any portion of a wilderness study
12 area described in subsection (b) that is not designated as
13 a wilderness area or wilderness addition by section 1301
14 is no longer subject to section 603(c) of the Federal Land
15 Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

16 **“SEC. 1304. TREATMENT OF CHERRY-STEMMED ROADS.**

17 “(a) DEFINITION OF CHERRY-STEMMED ROAD.—In
18 this section, the term ‘cherry-stemmed road’ means a road
19 or trail that is excluded from a wilderness area or wilder-
20 ness addition designated by section 202 by a non-wilder-
21 ness corridor having designated wilderness on both sides,
22 as generally depicted on the maps described in such sec-
23 tion.

1 “(b) PROHIBITION ON CLOSURE OR TRAVEL RE-
2 STRICTIONS ON CHERRY-STEMMED ROADS.—The Sec-
3 retary concerned shall not—

4 “(1) close any cherry-stemmed road that is
5 open to the public as of the date of the enactment
6 of this Act;

7 “(2) prohibit motorized access on a cherry-
8 stemmed road that is open to the public for motor-
9 ized access as of the date of the enactment of this
10 Act; or

11 “(3) prohibit mechanized access on a cherry-
12 stemmed road that is open to the public for mecha-
13 nized access as of the date of the enactment of this
14 Act.

15 “(c) RESOURCE PROTECTION OR PUBLIC SAFETY
16 EXCEPTIONS.—Subsection (b) shall not apply to a cherry-
17 stemmed road if the Secretary concerned determines that
18 a closure or traffic restriction of the cherry-stemmed road
19 is necessary for purposes of significant resource protection
20 or public safety.

1 **“TITLE XIV—NATIONAL PARK**
2 **SYSTEM ADDITIONS**

3 **“SEC. 1401. DEATH VALLEY NATIONAL PARK BOUNDARY RE-**
4 **VISION.**

5 “(a) IN GENERAL.—The boundary of Death Valley
6 National Park is adjusted to include—

7 “(1) the approximately 28,923 acres of Bureau
8 of Land Management land in Inyo County, Cali-
9 fornia, abutting the southern end of the Death Val-
10 ley National Park that lies between Death Valley
11 National Park to the north and Ft. Irwin Military
12 Reservation to the south and which runs approxi-
13 mately 34 miles from west to east, as depicted on
14 the map entitled ‘Death Valley National Park Pro-
15 posed Boundary Addition-Bowling Alley’, numbered
16 143/128,605, and dated May 14, 2015; and

17 “(2) the approximately 6,369 acres of Bureau
18 of Land Management land in Inyo County, Cali-
19 fornia, located in the northeast area of Death Valley
20 National Park that is within, and surrounded by,
21 land under the jurisdiction of the Director of the
22 National Park Service, as depicted on the map enti-
23 tled ‘Death Valley National Park Proposed Bound-
24 ary Addition-Crater’, numbered 143/100,079C, and
25 dated October 7, 2014.

1 “(b) AVAILABILITY OF MAP.—The maps described in
2 paragraphs (1) and (2) of subsection (a) shall be on file
3 and available for public inspection in the appropriate of-
4 fices of the National Park Service.

5 “(c) ADMINISTRATION.—The Secretary of the Inte-
6 rior (referred to in this title as the ‘Secretary’) shall—

7 “(1) administer any land added to Death Valley
8 National Park under subsection (a)—

9 “(A) as part of Death Valley National
10 Park; and

11 “(B) in accordance with applicable laws
12 (including regulations); and

13 “(2) not later than 180 days after the date of
14 enactment of this Act, enter into a memorandum of
15 understanding with Inyo County, California, to per-
16 mit operationally feasible, ongoing access and use
17 (including, but not limited to, material storage as
18 well as excavation) to gravel pits in existence as of
19 that date along Saline Valley Road within Death
20 Valley National Park for road maintenance and re-
21 pairs in accordance with applicable laws (including
22 regulations).

23 **“SEC. 1402. MOJAVE NATIONAL PRESERVE.**

24 “The boundary of the Mojave National Preserve is
25 adjusted to include the 25 acres of Bureau of Land Man-

1 agement land in Baker, California, as depicted on the map
2 entitled ‘Mojave National Preserve Proposed Boundary
3 Addition’, numbered 170/100,199, and dated August
4 2009.

5 **“SEC. 1403. JOSHUA TREE NATIONAL PARK BOUNDARY RE-**
6 **VISION.**

7 “(a) IN GENERAL.—The boundary of the Joshua
8 Tree National Park is adjusted to include—

9 “(1) the 2,879 acres of land managed by Direc-
10 tor of the Bureau of Land Management that are
11 contiguous at several different places to the northern
12 boundaries of Joshua Tree National Park in the
13 northwest section of the Park, as depicted on the
14 map entitled ‘Joshua Tree National Park Proposed
15 Boundary Additions’, numbered 156/100,077, and
16 dated August 2009; and

17 “(2) the 1,639 acres of land to be acquired
18 from the Mojave Desert Land Trust that are contig-
19 uous at several different places to the northern
20 boundaries of Joshua Tree National Park in the
21 northwest section of the Park, as depicted on the
22 map entitled ‘Mojave Desert Land Trust National
23 Park Service Additions’, numbered 156/126,376,
24 and dated September 2014.

1 “(b) AVAILABILITY OF MAPS.—The map described in
2 subsection (a) and the map depicting the 25 acres de-
3 scribed in subsection (c)(2) shall be on file and available
4 for public inspection in the appropriate offices of the Na-
5 tional Park Service.

6 “(c) ADMINISTRATION.—

7 “(1) IN GENERAL.—The Secretary shall admin-
8 ister any land added to the Joshua Tree National
9 Park under subsection (a) and the additional land
10 described in paragraph (2)—

11 “(A) as part of Joshua Tree National
12 Park; and

13 “(B) in accordance with applicable laws
14 (including regulations).

15 “(2) DESCRIPTION OF ADDITIONAL LAND.—The
16 additional land referred to in paragraph (1) is the
17 25 acres of land—

18 “(A) depicted on the map entitled ‘Joshua
19 Tree National Park Boundary Adjustment
20 Map’, numbered 156/80,049, and dated April 1,
21 2003;

22 “(B) added to Joshua Tree National Park
23 by the notice of the Department of the Interior
24 of August 28, 2003 (68 Fed. Reg. 51799); and

1 “(C) more particularly described as lots
2 26, 27, 28, 33, and 34 in sec. 34, T. 1 N., R.
3 8 E., San Bernardino Meridian.

4 “(d) SOUTHERN CALIFORNIA EDISON COMPANY EN-
5 ENERGY TRANSPORT FACILITIES AND RIGHTS-OF-WAY.—

6 “(1) IN GENERAL.—Nothing in this title termi-
7 nates any valid right-of-way for the customary oper-
8 ation, maintenance, upgrade, repair, relocation with-
9 in an existing right-of-way, replacement, or other au-
10 thorized energy transport facility activities in a
11 right-of-way issued, granted, or permitted to the
12 Southern California Edison Company or the prede-
13 cessors, successors, or assigns of the Southern Cali-
14 fornia Edison Company that is located on land de-
15 scribed in paragraphs (1) and (2) of subsection (a),
16 including, at a minimum, the use of mechanized ve-
17 hicles, helicopters, or other aerial devices.

18 “(2) UPGRADES AND REPLACEMENTS.—Noth-
19 ing in this title prohibits the upgrading or replace-
20 ment of—

21 “(A) Southern California Edison Company
22 energy transport facilities, including the energy
23 transport facilities referred to as the Jellystone,
24 Burnt Mountain, Whitehorn, Allegra, and Utah
25 distribution circuits rights-of-way; or

1 “(B) an energy transport facility in rights-
2 of-way issued, granted, or permitted by the Sec-
3 retary adjacent to Southern California Edison
4 Joshua Tree Utility Facilities.

5 “(3) PUBLICATION OF PLANS.—Not later than
6 the date that is 1 year after the date of enactment
7 of this title or the issuance of a new energy trans-
8 port facility right-of-way within the Joshua Tree Na-
9 tional Park, whichever is earlier, the Secretary, in
10 consultation with the Southern California Edison
11 Company, shall publish plans for regular and emer-
12 gency access by the Southern California Edison
13 Company to the rights-of-way of the Southern Cali-
14 fornia Edison Company within Joshua Tree Na-
15 tional Park.

16 **“TITLE XV—NATIONAL OFF-**
17 **HIGHWAY VEHICLE RECRE-**
18 **ATION AREAS**

19 **“SEC. 1501. DESIGNATION OF NATIONAL OFF-HIGHWAY VE-**
20 **HICLE RECREATION AREAS.**

21 “(a) DESIGNATION.—In accordance with the Federal
22 Land Policy and Management Act of 1976 (43 U.S.C.
23 1701 et seq.) and resource management plans developed
24 under this title and subject to valid rights, the following
25 land within the Conservation Area in San Bernardino

1 County, California, is designated as National Off-Highway
2 Vehicle Recreation Areas:

3 “(1) DUMONT DUNES NATIONAL OFF-HIGHWAY
4 VEHICLE RECREATION AREA.—Certain Bureau of
5 Land Management land in the Conservation Area,
6 comprising approximately 7,630 acres, as generally
7 depicted on the map entitled ‘Dumont Dunes Pro-
8 posed National OHV Recreation Area’ and dated
9 June 29, 2015, which shall be known as the ‘Du-
10 mont Dunes National Off-Highway Vehicle Recre-
11 ation Area’.

12 “(2) EL MIRAGE NATIONAL OFF-HIGHWAY VE-
13 HICLE RECREATION AREA.—Certain Bureau of Land
14 Management land in the Conservation Area, com-
15 prising approximately 14,930 acres, as generally de-
16 picted on the map entitled ‘El Mirage Proposed Na-
17 tional OHV Recreation Area’ and dated January 4,
18 2017, which shall be known as the ‘El Mirage Na-
19 tional Off-Highway Vehicle Recreation Area’.

20 “(3) RASOR NATIONAL OFF-HIGHWAY VEHICLE
21 RECREATION AREA.—Certain Bureau of Land Man-
22 agement land in the Conservation Area, comprising
23 approximately 23,910 acres, as generally depicted on
24 the map entitled ‘Rasor Proposed National OHV
25 Recreation Area’ and dated February 15, 2015,

1 which shall be known as the ‘Rasor National Off-
2 Highway Vehicle Recreation Area’.

3 “(4) SPANGLER HILLS NATIONAL OFF-HIGHWAY
4 VEHICLE RECREATION AREA.—Certain Bureau of
5 Land Management land in the Conservation Area,
6 comprising approximately 56,140 acres, as generally
7 depicted on the map entitled ‘Spangler Hills Pro-
8 posed National OHV Recreation Area’ and dated
9 January 4, 2017, which shall be known as the
10 ‘Spangler Hills National Off-Highway Vehicle Recre-
11 ation Area’.

12 “(5) STODDARD VALLEY NATIONAL OFF-HIGH-
13 WAY VEHICLE RECREATION AREA.—Certain Bureau
14 of Land Management land in the Conservation Area,
15 comprising approximately 40,110 acres, as generally
16 depicted on the map entitled ‘Stoddard Valley Pro-
17 posed National OHV Recreation Area’ and dated
18 February 18, 2015, which shall be known as the
19 ‘Stoddard Valley National Off-Highway Vehicle
20 Recreation Area’.

21 “(b) REDESIGNATION AND EXPANSION OF JOHNSON
22 VALLEY NATIONAL OFF-HIGHWAY VEHICLE RECREATION
23 AREA.—

24 “(1) REDESIGNATION.—The Johnson Valley
25 Off-Highway Vehicle Recreation Area designated by

1 section 2945 of the Military Construction Authoriza-
2 tion Act for Fiscal Year 2014 (division B of Public
3 Law 113–66; 127 Stat. 1038)—

4 “(A) is hereby redesignated as the Johnson
5 Valley National Off-Highway Vehicle Recreation
6 Area; and

7 “(B) is expanded to include all of the land,
8 approximately 11,300 acres, depicted as the
9 ‘Proposed Johnson Valley National Off-High-
10 way Vehicle Recreation Area Additions’ on the
11 map entitled ‘Johnson Valley National Off-
12 Highway Vehicle Recreation Area’ and dated
13 November 30, 2016.

14 “(2) RELATION TO AUTHORIZED NAVY USE.—

15 The redesignation of the Johnson Valley Off-High-
16 way Vehicle Recreation Area as the Johnson Valley
17 National Off-Highway Vehicle Recreation Area does
18 not alter or interfere with the rights and obligations
19 of the Navy regarding the use of portions of the
20 Recreation Area as provided in subtitle C of title
21 XXIX of the Military Construction Authorization
22 Act for Fiscal Year 2014 (division B of Public Law
23 113–66; 127 Stat. 1034).

24 “(3) REFERENCES.—Any reference in any law,
25 regulation, document, record, map, or other paper of

1 the United States to the Johnson Valley Off-High-
2 way Vehicle Recreation Area is deemed to be a ref-
3 erence to the Johnson Valley National Off-Highway
4 Vehicle Recreation Area.

5 “(c) PURPOSE.—The purpose of the national off-
6 highway vehicle recreation areas designated under sub-
7 sections (a) and (b) is to preserve and enhance the rec-
8 reational opportunities within the Conservation Area (in-
9 cluding opportunities for off-highway vehicle recreation),
10 while conserving the wildlife and other natural resource
11 values of the Conservation Area.

12 “(d) MAPS AND DESCRIPTIONS.—

13 “(1) PREPARATION AND SUBMISSION.—As soon
14 as practicable after the date of enactment of this
15 title, the Secretary shall file a map and legal de-
16 scription of each national off-highway vehicle recre-
17 ation area designated or expanded by subsections (a)
18 or (b) with—

19 “(A) the Committee on Natural Resources
20 of the House of Representatives; and

21 “(B) the Committee on Energy and Nat-
22 ural Resources of the Senate.

23 “(2) LEGAL EFFECT.—The map and legal de-
24 scriptions of the national off-highway vehicle recre-
25 ation areas filed under paragraph (1) shall have the

1 same force and effect as if included in this title, ex-
2 cept that the Secretary may correct errors in the
3 map and legal descriptions.

4 “(3) PUBLIC AVAILABILITY.—Each map and
5 legal description filed under paragraph (1) shall be
6 filed and made available for public inspection in the
7 appropriate offices of the Bureau of Land Manage-
8 ment.

9 “(e) USE OF THE LAND.—

10 “(1) RECREATIONAL ACTIVITIES.—

11 “(A) IN GENERAL.—The Secretary shall
12 continue to authorize, maintain, and enhance
13 the recreational uses of the national off-highway
14 vehicle recreation areas designated or expanded
15 by subsections (a) and (b), including off-high-
16 way recreation, hiking, camping, hunting,
17 mountain biking, sightseeing, rockhounding,
18 and horseback riding, as long as the rec-
19 reational use is consistent with this section and
20 any other applicable law.

21 “(B) OFF-HIGHWAY VEHICLE AND OFF-
22 HIGHWAY RECREATION.—To the extent con-
23 sistent with applicable Federal law (including
24 regulations) and this section, any authorized
25 recreation activities and use designations in ef-

1 fect on the date of enactment of this title and
2 applicable to the national off-highway vehicle
3 recreation areas designated or expanded by sub-
4 sections (a) and (b) shall continue, including
5 casual off-highway vehicular use, racing, com-
6 petitive events, rock crawling, training, and
7 other forms of off-highway recreation.

8 “(2) WILDLIFE GUZZLERS.—Wildlife guzzlers
9 shall be allowed in the national off-highway vehicle
10 recreation areas designated by subsection (a) in ac-
11 cordance with—

12 “(A) applicable Bureau of Land Manage-
13 ment guidelines; and

14 “(B) State law.

15 “(3) PROHIBITED USES.—

16 “(A) IN GENERAL.—Commercial develop-
17 ment (including development of energy facili-
18 ties, but excluding energy transport facilities,
19 rights-of-way, and related telecommunication
20 facilities) shall be prohibited in the national off-
21 highway vehicle recreation areas designated by
22 subsections (a) and (b) if the Secretary deter-
23 mines that the development is incompatible with
24 the purpose of this title.

1 “(B) EXCEPTION FOR TEMPORARY PER-
2 MITTED VENDORS.—Subparagraph (A) does not
3 prohibit a commercial vendor from establishing,
4 pursuant to a temporary permit, a site in the
5 national off-highway vehicle recreation areas for
6 the purpose of providing accessories and other
7 support for off-highway vehicles and vehicles
8 used for accessing the area.

9 “(f) ADMINISTRATION.—

10 “(1) IN GENERAL.—The Secretary shall admin-
11 ister the national off-highway vehicle recreation
12 areas designated by subsections (a) and (b) in ac-
13 cordance with—

14 “(A) this title;

15 “(B) the Federal Land Policy and Man-
16 agement Act of 1976 (43 U.S.C. 1701 et seq.);
17 and

18 “(C) any other applicable laws (including
19 regulations).

20 “(2) MANAGEMENT PLAN.—

21 “(A) IN GENERAL.—As soon as prac-
22 ticable, but not later than 3 years after the date
23 of enactment of this title, the Secretary shall—

24 “(i) amend existing resource manage-
25 ment plans applicable to the land des-

1 ignated as national off-highway vehicle
2 recreation areas under subsection (a); or

3 “(ii) develop new management plans
4 for each national off-highway vehicle recre-
5 ation area designated under that sub-
6 section.

7 “(B) REQUIREMENTS.—All new or amend-
8 ed plans under subparagraph (A) shall be de-
9 signed to preserve and enhance safe off-highway
10 vehicle and other recreational opportunities
11 within the applicable recreation area consistent
12 with—

13 “(i) the purpose described in sub-
14 section (c); and

15 “(ii) any applicable laws (including
16 regulations).

17 “(C) INTERIM PLANS.—Pending comple-
18 tion of a new management plan under subpara-
19 graph (A), the existing resource management
20 plans shall govern the use of the applicable na-
21 tional off-highway vehicle recreation area.

22 “(g) STUDY.—

23 “(1) IN GENERAL.—As soon as practicable, but
24 not later than 2 years, after the date of enactment
25 of this title, the Secretary shall complete a study to

1 identify Bureau of Land Management land within
2 the Conservation Area that is suitable for addition
3 to—

4 “(A) the national off-highway vehicle recre-
5 ation areas designated by subsection (a) and
6 (b); or

7 “(B) the Johnson Valley National Off-
8 Highway Vehicle Recreation Area designated by
9 section 2945 of the National Defense Author-
10 ization Act for Fiscal Year 2014 (Public Law
11 113–66; 127 Stat. 1038).

12 “(2) STUDY AREAS.—The study required under
13 paragraph (1) shall include—

14 “(A) certain Bureau of Land Management
15 land in the Conservation Area, comprising ap-
16 proximately 41,000 acres, as generally depicted
17 on the map entitled ‘Spangler Hills Proposed
18 National OHV Recreation Area’ and dated Jan-
19 uary 4, 2017; and

20 “(B) certain Bureau of Land Management
21 land in the Conservation Area, comprising ap-
22 proximately 680 acres, as generally depicted on
23 the map entitled ‘El Mirage Proposed National
24 OHV Recreation Area’ and dated January 21,
25 2017.

1 “(C) certain Bureau of Land Management
2 land in the Conservation Area, comprising ap-
3 proximately 10,300 acres, as generally depicted
4 on the map entitled ‘Johnson Valley National
5 Off-Highway Vehicle Recreation Area’ and
6 dated November 30, 2016.

7 “(3) REQUIREMENTS.—In preparing the study
8 under paragraph (1), the Secretary shall—

9 “(A) seek input from stakeholders, includ-
10 ing—

11 “(i) the State, including—

12 “(I) the California Public Utili-
13 ties Commission; and

14 “(II) the California Energy Com-
15 mission;

16 “(ii) San Bernardino County, Cali-
17 fornia;

18 “(iii) the public;

19 “(iv) recreational user groups;

20 “(v) conservation organizations;

21 “(vi) the Southern California Edison
22 Company;

23 “(vii) the Pacific Gas and Electric
24 Company; and

1 “(viii) other Federal agencies, includ-
2 ing the Department of Defense;

3 “(B) explore the feasibility of—

4 “(i) expanding the southern boundary
5 of the national off-highway vehicle recre-
6 ation area described in subsection (a)(3) to
7 include previously disturbed land; and

8 “(ii) establishing a right of way for
9 OHV use in the area identified in (g)(2),
10 to the extent necessary to connect the non-
11 contiguous areas of the Johnson Valley
12 National Off-Highway Vehicle Recreation
13 Area;

14 “(C) identify and exclude from consider-
15 ation any land that—

16 “(i) is managed for conservation pur-
17 poses;

18 “(ii) is identified as critical habitat
19 for a listed species;

20 “(iii) may be suitable for renewable
21 energy development; or

22 “(iv) may be necessary for energy
23 transmission; and

24 “(D) not recommend or approve expansion
25 of national off-highway vehicle recreation areas

1 within the Conservation Area that collectively
2 would exceed the total acres administratively
3 designated for off-highway recreation within the
4 Conservation Area as of the day before the date
5 of enactment of the National Defense Author-
6 ization Act for Fiscal Year 2014 (Public Law
7 113–66; 127 Stat. 672).

8 “(4) APPLICABLE LAW.—The Secretary shall
9 consider the information and recommendations of
10 the study completed under paragraph (1) to deter-
11 mine the impacts of expanding national off-highway
12 vehicle recreation areas designated by subsection (a)
13 on the Conservation Area, in accordance with—

14 “(A) the National Environmental Policy
15 Act of 1969 (42 U.S.C. 4321 et seq.);

16 “(B) the Endangered Species Act of 1973
17 (16 U.S.C. 1531 et seq.);

18 “(C) applicable regulations and plans, in-
19 cluding the Desert Renewable Energy Conserva-
20 tion Plan Land Use Plan Amendment; and

21 “(D) any other applicable law.

22 “(5) SUBMISSION TO CONGRESS.—On comple-
23 tion of the study under paragraph (1), the Secretary
24 shall submit the study to—

1 “(A) the Committee on Natural Resources
2 of the House of Representatives; and

3 “(B) the Committee on Energy and Nat-
4 ural Resources of the Senate.

5 “(6) AUTHORIZATION FOR EXPANSION.—

6 “(A) IN GENERAL.—On completion of the
7 study under paragraph (1) and in accordance
8 with all applicable laws (including regulations),
9 the Secretary shall authorize the expansion of
10 the national off-highway vehicle recreation
11 areas recommended under the study.

12 “(B) MANAGEMENT.—Any land within the
13 expanded areas under subparagraph (A) shall
14 be managed in accordance with this section.

15 “(h) SOUTHERN CALIFORNIA EDISON COMPANY
16 UTILITY FACILITIES AND RIGHTS-OF-WAY.—

17 “(1) EFFECT OF TITLE.—Nothing in this
18 title—

19 “(A) terminates any validly issued right-of-
20 way for the customary operation, maintenance,
21 upgrade, repair, relocation within an existing
22 right-of-way, replacement, or other authorized
23 energy transport facility activities (including the
24 use of any mechanized vehicle, helicopter, and
25 other aerial device) in a right-of-way issued,

1 granted, or permitted to Southern California
2 Edison Company (including any predecessor or
3 successor in interest or assign) that is located
4 on land included in—

5 “(i) the El Mirage National Off-High-
6 way Vehicle Recreation Area;

7 “(ii) the Spangler Hills National Off-
8 Highway Vehicle Recreation Area; or

9 “(iii) the Stoddard Valley National
10 Off Highway Vehicle Recreation Area;

11 “(B) affects the application, siting, route
12 selection, right-of-way acquisition, or construc-
13 tion of the Coolwater-Lugo transmission
14 project, as may be approved by the California
15 Public Utilities Commission and the Bureau of
16 Land Management; or

17 “(C) prohibits the upgrading or replace-
18 ment of any Southern California Edison Com-
19 pany—

20 “(i) utility facility, including such a
21 utility facility known on the date of enact-
22 ment of this title as—

23 “(I) ‘Gale-PS 512 transmission
24 lines or rights-of-way’; and

1 “(II) ‘Patio, Jack Ranch, and
2 Kenworth distribution circuits or
3 rights-of-way’; and

4 “(ii) energy transport facility in a
5 right-of-way issued, granted, or permitted
6 by the Secretary adjacent to a utility facil-
7 ity referred to in clause (i).

8 “(2) PLANS FOR ACCESS.—The Secretary, in
9 consultation with the Southern California Edison
10 Company, shall publish plans for regular and emer-
11 gency access by the Southern California Edison
12 Company to the rights-of-way of the Company by
13 the date that is 1 year after the later of—

14 “(A) the date of enactment of this title;
15 and

16 “(B) the date of issuance of a new energy
17 transport facility right-of-way within—

18 “(i) the El Mirage National Off-High-
19 way Vehicle Recreation Area;

20 “(ii) the Spangler Hills National Off-
21 Highway Vehicle Recreation Area; or

22 “(iii) the Stoddard Valley National
23 Off Highway Vehicle Recreation Area.

24 “(i) PACIFIC GAS AND ELECTRIC COMPANY UTILITY
25 FACILITIES AND RIGHTS-OF-WAY.—

1 “(1) EFFECT OF TITLE.—Nothing in this
2 title—

3 “(A) terminates any validly issued right-of-
4 way for the customary operation, maintenance,
5 upgrade, repair, relocation within an existing
6 right-of-way, replacement, or other authorized
7 activity (including the use of any mechanized
8 vehicle, helicopter, and other aerial device) in a
9 right-of-way issued, granted, or permitted to
10 Pacific Gas and Electric Company (including
11 any predecessor or successor in interest or as-
12 sign) that is located on land included in the
13 Spangler Hills National Off-Highway Vehicle
14 Recreation Area; or

15 “(B) prohibits the upgrading or replace-
16 ment of any—

17 “(i) utility facilities of the Pacific Gas
18 and Electric Company, including those
19 utility facilities known on the date of en-
20 actment of this title as—

21 “(I) Gas Transmission Line 311
22 or rights-of-way; and

23 “(II) Gas Transmission Line 372
24 or rights-of-way; and

1 “(ii) utility facilities of the Pacific
2 Gas and Electric Company in rights-of-way
3 issued, granted, or permitted by the Sec-
4 retary adjacent to a utility facility referred
5 to in clause (i).

6 “(2) PLANS FOR ACCESS.—Not later than 1
7 year after the date of enactment of this title or the
8 issuance of a new utility facility right-of-way within
9 the Spangler Hills National Off-Highway Vehicle
10 Recreation Area, whichever is later, the Secretary, in
11 consultation with the Pacific Gas and Electric Com-
12 pany, shall publish plans for regular and emergency
13 access by the Pacific Gas and Electric Company to
14 the rights-of-way of the Pacific Gas and Electric
15 Company.

16 **“TITLE XVI—ALABAMA HILLS**
17 **NATIONAL SCENIC AREA**

18 **“SEC. 1601. DEFINITIONS.**

19 “In this title:

20 “(1) MANAGEMENT PLAN.—The term ‘manage-
21 ment plan’ means the management plan for the Na-
22 tional Scenic Area developed under section 1603(a).

23 “(2) MAP.—The term ‘Map’ means the map ti-
24 tled ‘Proposed Alabama Hills National Scenic Area’,
25 dated September 8, 2014.

1 “(3) **MOTORIZED VEHICLES.**—The term ‘motor-
2 ized vehicles’ means motorized or mechanized vehi-
3 cles and includes, when used by utilities, mechanized
4 equipment, helicopters, and other aerial devices nec-
5 essary to maintain electrical or communications in-
6 frastructure.

7 “(4) **NATIONAL SCENIC AREA.**—The term ‘Na-
8 tional Scenic Area’ means the Alabama Hills Na-
9 tional Scenic Area established by section 1602(a).

10 “(5) **SECRETARY.**—The term ‘Secretary’ means
11 the Secretary of the Interior.

12 “(6) **STATE.**—The term ‘State’ means the State
13 of California.

14 “(7) **TRIBE.**—The term ‘Tribe’ means the Lone
15 Pine Paiute-Shoshone.

16 “(8) **UTILITY FACILITY.**—The term ‘utility fa-
17 cility’ means any and all existing and future water
18 system facilities including aqueducts, streams,
19 ditches, and canals; water facilities including, but
20 not limited to, flow measuring stations, gauges,
21 gates, valves, piping, conduits, fencing, and electrical
22 power and communications devices and systems; and
23 any and all existing and future electric generation
24 facilities, electric storage facilities, overhead and/or
25 underground electrical supply systems and commu-

1 nication systems consisting of electric substations,
2 electric lines, poles and towers made of various ma-
3 terials, ‘H’ frame structures, guy wires and anchors,
4 crossarms, wires, underground conduits, cables,
5 vaults, manholes, handholes, above-ground enclo-
6 sures, markers and concrete pads and other fixtures,
7 appliances and communication circuits, and other
8 fixtures, appliances and appurtenances connected
9 therewith necessary or convenient for the construc-
10 tion, operation, regulation, control, grounding and
11 maintenance of electric generation, storage, lines
12 and communication circuits, for the purpose of
13 transmitting intelligence and generating, storing,
14 distributing, regulating and controlling electric en-
15 ergy to be used for light, heat, power, communica-
16 tion, and other purposes.

17 **“SEC. 1602. ALABAMA HILLS NATIONAL SCENIC AREA, CALI-**
18 **FORNIA.**

19 “(a) ESTABLISHMENT.—Subject to valid, existing
20 rights, there is established in Inyo County, California, the
21 Alabama Hills National Scenic Area. The National Scenic
22 Area shall be comprised of the approximately 18,610 acres
23 generally depicted on the Map as ‘National Scenic Area’.

24 “(b) PURPOSE.—The purpose of the National Scenic
25 Area is to conserve, protect, and enhance for the benefit,

1 use, and enjoyment of present and future generations the
2 nationally significant scenic, cultural, geological, edu-
3 cational, biological, historical, recreational, cinemato-
4 graphic, and scientific resources of the National Scenic
5 Area managed consistent with section 302(a) of the Fed-
6 eral Land Policy and Management Act of 1976 (43 U.S.C.
7 1732(a)).

8 “(c) MAP; LEGAL DESCRIPTIONS.—

9 “(1) IN GENERAL.—As soon as practicable
10 after the date of enactment of this Act, the Sec-
11 retary shall file a map and a legal description of the
12 National Scenic Area with—

13 “(A) the Committee on Energy and Nat-
14 ural Resources of the Senate; and

15 “(B) the Committee on Natural Resources
16 of the House of Representatives.

17 “(2) FORCE OF LAW.—The map and legal de-
18 scriptions filed under paragraph (1) shall have the
19 same force and effect as if included in this Act, ex-
20 cept that the Secretary may correct any clerical and
21 typographical errors in the map and legal descrip-
22 tions.

23 “(3) PUBLIC AVAILABILITY.—Each map and
24 legal description filed under paragraph (1) shall be
25 on file and available for public inspection in the ap-

1 appropriate offices of the Forest Service and Bureau
2 of Land Management.

3 “(d) ADMINISTRATION.—The Secretary shall manage
4 the National Scenic Area—

5 “(1) as a component of the National Landscape
6 Conservation System;

7 “(2) so as not to impact the future continuing
8 operations and maintenance of any activities associ-
9 ated with valid, existing rights, including water
10 rights;

11 “(3) in a manner that conserves, protects, and
12 enhances the resources and values of the National
13 Scenic Area described in subsection (b); and

14 “(4) in accordance with—

15 “(A) the Federal Land Policy and Manage-
16 ment Act of 1976 (43 U.S.C. 1701 et seq.);

17 “(B) this Act; and

18 “(C) any other applicable laws.

19 “(e) MANAGEMENT.—

20 “(1) IN GENERAL.—The Secretary shall allow
21 only such uses of the National Scenic Area as the
22 Secretary determines would support the purposes of
23 the National Scenic Area as described in subsection
24 (b).

1 “(2) RECREATIONAL ACTIVITIES.—Except as
2 otherwise provided in this Act or other applicable
3 law, or as the Secretary determines to be necessary
4 for public health and safety, the Secretary shall
5 allow existing recreational uses of the National Scenic
6 Area to continue, including hiking, mountain
7 biking, rock climbing, sightseeing, horseback riding,
8 hunting, fishing, and appropriate authorized motor-
9 ized vehicle use.

10 “(3) MOTORIZED VEHICLES.—Except as speci-
11 fied within this Act and/or in cases in which motor-
12 ized vehicles are needed for administrative purposes,
13 or to respond to an emergency, the use of motorized
14 vehicles in the National Scenic Area shall be per-
15 mitted only on—

16 “(A) roads and trails designated by the Di-
17 rector of the Bureau of Land Management for
18 use of motorized vehicles as part of a manage-
19 ment plan sustaining a semi-primitive motorized
20 experience; or

21 “(B) on county-maintained roads in ac-
22 cordance with applicable State and county laws.

23 “(f) NO BUFFER ZONES.—

1 “(1) IN GENERAL.—Nothing in this Act creates
2 a protective perimeter or buffer zone around the Na-
3 tional Scenic Area.

4 “(2) ACTIVITIES OUTSIDE NATIONAL SCENIC
5 AREA.—The fact that an activity or use on land out-
6 side the National Scenic Area can be seen or heard
7 within the National Scenic Area shall not preclude
8 the activity or use outside the boundaries of the Na-
9 tional Scenic Area.

10 “(g) ACCESS.—The Secretary shall continue to pro-
11 vide private landowners adequate access to inholdings in
12 the National Scenic Area.

13 “(h) FILMING.—Nothing in this Act prohibits filming
14 (including commercial film production, student filming,
15 and still photography) within the National Scenic Area—

16 “(1) subject to—

17 “(A) such reasonable regulations, policies,
18 and practices as the Secretary considers to be
19 necessary; and

20 “(B) applicable law; and

21 “(2) in a manner consistent with the purposes
22 described in subsection (b).

23 “(i) FISH AND WILDLIFE.—Nothing in this Act af-
24 fects the jurisdiction or responsibilities of the State with
25 respect to fish and wildlife.

1 “(j) LIVESTOCK.—The grazing of livestock in the Na-
2 tional Scenic Area, including grazing under the Alabama
3 Hills allotment and the George Creek allotment, as estab-
4 lished before the date of enactment of this Act, shall be
5 permitted to continue—

6 “(1) subject to—

7 “(A) such reasonable regulations, policies,
8 and practices as the Secretary considers to be
9 necessary; and

10 “(B) applicable law; and

11 “(2) in a manner consistent with the purposes
12 described in subsection (b).

13 “(k) OVERFLIGHTS.—Nothing in this Act restricts or
14 precludes flights over the National Scenic Area or over-
15 flights that can be seen or heard within the National Sce-
16 nic Area, including—

17 “(1) transportation, sightseeing and filming
18 flights, general aviation planes, helicopters, hang-
19 gliders, and balloonists, for commercial or rec-
20 reational purposes;

21 “(2) low-level overflights of military aircraft;

22 “(3) flight testing and evaluation;

23 “(4) the designation or creation of new units of
24 special use airspace, or the establishment of military

1 flight training routes, over the National Scenic Area;
2 or

3 “(5) the use, including take-off and landing, of
4 helicopters and other aerial devices within valid
5 rights-of-way to construct or maintain energy trans-
6 port facilities.

7 “(l) WITHDRAWAL.—Subject to this Act’s provisions
8 and valid rights in existence on the date of enactment of
9 this Act, including rights established by prior withdrawals,
10 the Federal land within the National Scenic Area is with-
11 drawn from all forms of—

12 “(1) entry, appropriation, or disposal under the
13 public land laws;

14 “(2) location, entry, and patent under the min-
15 ing laws; and

16 “(3) disposition under all laws pertaining to
17 mineral and geothermal leasing or mineral materials.

18 “(m) WILDLAND FIRE OPERATIONS.—Nothing in
19 this Act prohibits the Secretary, in cooperation with other
20 Federal, State, and local agencies, as appropriate, from
21 conducting wildland fire operations in the National Scenic
22 Area, consistent with the purposes described in subsection
23 (b).

24 “(n) GRANTS; COOPERATIVE AGREEMENTS.—The
25 Secretary may make grants to, or enter into cooperative

1 agreements with, State, tribal, and local governmental en-
2 tities and private entities to conduct research, interpreta-
3 tion, or public education or to carry out any other initia-
4 tive relating to the restoration, conservation, or manage-
5 ment of the National Scenic Area.

6 “(o) AIR AND WATER QUALITY.—Nothing in this Act
7 modifies any standard governing air or water quality out-
8 side of the boundaries of the National Scenic Area.

9 “(p) UTILITY FACILITIES AND RIGHTS OF WAY.—

10 “(1) Nothing in this Act shall—

11 “(A) affect the existence, use, operation,
12 maintenance (including but not limited to vege-
13 tation control), repair, construction, reconfig-
14 uration, expansion, inspection, renewal, recon-
15 struction, alteration, addition, relocation, im-
16 provement, funding, removal, or replacement of
17 utility facilities or appurtenant rights of way
18 within or adjacent to the National Scenic Area;

19 “(B) affect necessary or efficient access to
20 utility facilities or rights of way within or adja-
21 cent to the National Scenic Area subject to sub-
22 section (e); or

23 “(C) preclude the Secretary from author-
24 izing the establishment of new utility facility
25 rights of way (including instream sites, routes,

1 and areas) within the National Scenic Area in
2 a manner that minimizes harm to the purpose
3 of the National Scenic Area as described in sub-
4 section (b)—

5 “(i) with the National Environmental
6 Policy Act of 1969 (42 U.S.C. 4321 et
7 seq.) and any other applicable law;

8 “(ii) subject to such terms and condi-
9 tions as the Secretary determines to be ap-
10 propriate; and

11 “(iii) are determined, by the Sec-
12 retary, to be the only technical or feasible
13 location, following consideration of alter-
14 natives within existing rights of way or
15 outside of the National Scenic Area.

16 “(2) MANAGEMENT PLAN.—Consistent with
17 this Act, the Management Plan shall establish plans
18 for maintenance of public utility and other rights of
19 way within the National Scenic Area.

20 **“SEC. 1603. MANAGEMENT PLAN.**

21 “(a) IN GENERAL.—Not later than 3 years after the
22 date of enactment of this Act, in accordance with sub-
23 section (b), the Secretary shall develop a comprehensive
24 plan for the long-term management of the National Scenic
25 Area.

1 “(b) CONSULTATION.—In developing the manage-
2 ment plan, the Secretary shall—

3 “(1) consult with appropriate State, tribal, and
4 local governmental entities, including Inyo County
5 and the Tribe; and

6 “(2) seek input from—

7 “(A) investor-owned utilities, including
8 Southern California Edison Company;

9 “(B) the Alabama Hills Stewardship
10 Group;

11 “(C) members of the public; and

12 “(D) the Los Angeles Department of
13 Water and Power.

14 “(c) INCORPORATION OF MANAGEMENT PLAN.—In
15 developing the management plan, in accordance with this
16 section, the Secretary shall allow, in perpetuity, casual-
17 use mining limited to the use of hand tools, metal detec-
18 tors, hand-fed dry washers, vacuum cleaners, gold pans,
19 small sluices, and similar items.

20 “(d) INTERIM MANAGEMENT.—Pending completion
21 of the management plan, the Secretary shall manage the
22 National Scenic Area in accordance with section 3.

1 **“SEC. 1604. LAND TAKEN INTO TRUST FOR LONE PINE PAI-**
2 **UTE-SHOSHONE RESERVATION.**

3 “(a) TRUST LAND.—As soon as practicable after the
4 date of the enactment of this Act, the Secretary shall take
5 the approximately 132 acres of Federal land depicted on
6 the Map as ‘Lone Pine Paiute-Shoshone Reservation Addi-
7 tion’ into trust for the benefit of the Tribe, subject to the
8 following:

9 “(1) CONDITIONS.—The land shall be subject to
10 all easements, covenants, conditions, restrictions,
11 withdrawals, and other matters of record on the date
12 of the enactment of this Act.

13 “(2) EXCLUSION.—The Federal lands over
14 which the right-of-way for the Los Angeles Aqueduct
15 is located, generally described as the 250-foot-wide
16 right-of-way granted to the City of Los Angeles pur-
17 suant to the Act of June 30, 1906 (Chap. 3926),
18 shall not be taken into trust for the Tribe.

19 “(b) RESERVATION LAND.—The land taken into
20 trust pursuant to subsection (a) shall be considered part
21 of the reservation of the Tribe.

22 “(c) GAMING PROHIBITION.—Gaming under the In-
23 dian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)
24 shall not be allowed on the land taken into trust pursuant
25 to subsection (a).

1 **“SEC. 1605. TRANSFER OF ADMINISTRATIVE JURISDICTION.**

2 “Administrative jurisdiction of the approximately 56
3 acres of Federal land depicted on the Map as ‘USFS
4 Transfer to BLM’ is hereby transferred from the Forest
5 Service under the Secretary of Agriculture to the Bureau
6 of Land Management under the Secretary.

7 **“SEC. 1606. PROTECTION OF SERVICES AND REC-**
8 **REATIONAL OPPORTUNITIES.**

9 “Nothing in this Act shall be construed to limit com-
10 mercial services for existing and historic recreation uses
11 as authorized by the Bureau of Land Management’s per-
12 mit process. Valid, existing, commercial permits to exer-
13 cise guided recreational opportunities for the public may
14 continue as authorized on the day before the date of the
15 enactment of this Act.

16 **“TITLE XVII—MISCELLANEOUS**

17 **“SEC. 1701. MILITARY ACTIVITIES.**

18 “Nothing in this title—

19 “(1) restricts or precludes Department of De-
20 fense motorized access by land or air—

21 “(A) to respond to an emergency within a
22 wilderness area designated by this Act; or

23 “(B) to control access to the emergency
24 site;

1 “(2) prevents nonmechanized military training
2 activities previously conducted on wilderness areas
3 designated by this title that are consistent with—

4 “(A) the Wilderness Act (16 U.S.C. 1131
5 et seq.); and

6 “(B) all applicable laws (including regula-
7 tions);

8 “(3) restricts or precludes low-level overflights
9 of military aircraft over the areas designated as wil-
10 derness, national monuments, special management
11 areas, or recreation areas by this Act, including mili-
12 tary overflights that can be seen or heard within the
13 designated areas;

14 “(4) restricts or precludes flight testing and
15 evaluation in the areas described in paragraph (3);
16 or

17 “(5) restricts or precludes the designation or
18 creation of new units of special use airspace, or the
19 establishment of military flight training routes, over
20 the areas described in paragraph (3).

21 **“SEC. 1702. PROHIBITED USES OF ACQUIRED, DONATED,
22 AND CONSERVATION LAND.**

23 “(a) DEFINITIONS.—In this section:

24 “(1) ACQUIRED LAND.—The term ‘acquired
25 land’ means any land acquired within the Conserva-

1 tion Area using amounts from the land and water
2 conservation fund established under section 200302
3 of title 54, United States Code.

4 “(2) CONSERVATION LAND.—The term ‘con-
5 servation land’ means any land within the Conserva-
6 tion Area that is designated to satisfy the conditions
7 of a Federal habitat conservation plan, general con-
8 servation plan, or State natural communities con-
9 servation plan, including—

10 “(A) national conservation land established
11 pursuant to section 2002(b)(2)(D) of the Omni-
12 bus Public Land Management Act of 2009 (16
13 U.S.C. 7202(b)(2)(D)); and

14 “(B) areas of critical environmental con-
15 cern established pursuant to section 202(c)(3)
16 of the Federal Land Policy and Management
17 Act of 1976 (43 U.S.C. 1712(c)(3)).

18 “(3) DONATED LAND.—The term ‘donated
19 land’ means any private land donated to the United
20 States for conservation purposes in the Conservation
21 Area.

22 “(4) DONOR.—The term ‘donor’ means an indi-
23 vidual or entity that donates private land within the
24 Conservation Area to the United States.

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

4 “(b) PROHIBITIONS.—Except as provided in sub-
5 section (c), the Secretary shall not authorize the use of
6 acquired land, conservation land, or donated land within
7 the Conservation Area for any activities contrary to the
8 conservation purposes for which the land was acquired,
9 designated, or donated, including—

10 “(1) disposal;

11 “(2) rights-of-way;

12 “(3) leases;

13 “(4) livestock grazing;

14 “(5) infrastructure development, except as pro-
15 vided in subsection (c);

16 “(6) mineral entry; and

17 “(7) off-highway vehicle use, except on—

18 “(A) designated routes;

19 “(B) off-highway vehicle areas designated
20 by law; and

21 “(C) administratively designated open
22 areas.

23 “(c) EXCEPTIONS.—

24 “(1) AUTHORIZATION BY SECRETARY.—Subject
25 to paragraph (2), the Secretary may authorize lim-

1 ited exceptions to prohibited uses of acquired land or
2 donated land in the Conservation Area if—

3 “(A) a right-of-way application for a re-
4 newable energy development project or associ-
5 ated energy transport facility on acquired land
6 or donated land was submitted to the Bureau
7 of Land Management on or before December 1,
8 2009; or

9 “(B) after the completion and consider-
10 ation of an analysis under the National Envi-
11 ronmental Policy Act of 1969 (42 U.S.C. 4321
12 et seq.), the Secretary has determined that pro-
13 posed use is in the public interest.

14 “(2) CONDITIONS.—

15 “(A) IN GENERAL.—If the Secretary
16 grants an exception to the prohibition under
17 paragraph (1), the Secretary shall require the
18 permittee to donate private land of comparable
19 value located within the Conservation Area to
20 the United States to mitigate the use.

21 “(B) APPROVAL.—The private land to be
22 donated under subparagraph (A) shall be ap-
23 proved by the Secretary after—

24 “(i) consultation, to the maximum ex-
25 tent practicable, with the donor of the pri-

1 vate land proposed for nonconservation
2 uses; and

3 “(ii) an opportunity for public com-
4 ment regarding the donation.

5 “(d) EXISTING AGREEMENTS.—Nothing in this sec-
6 tion affects permitted or prohibited uses of donated land
7 or acquired land in the Conservation Area established in
8 any easements, deed restrictions, memoranda of under-
9 standing, or other agreements in existence on the date of
10 enactment of this title.

11 “(e) DEED RESTRICTIONS.—Effective beginning on
12 the date of enactment of this title, within the Conservation
13 Area, the Secretary may—

14 “(1) accept deed restrictions requested by land-
15 owners for land donated to, or otherwise acquired
16 by, the United States; and

17 “(2) consistent with existing rights, create deed
18 restrictions, easements, or other third-party rights
19 relating to any public land determined by the Sec-
20 retary to be necessary—

21 “(A) to fulfill the mitigation requirements
22 resulting from the development of renewable re-
23 sources; or

24 “(B) to satisfy the conditions of—

1 “(i) a habitat conservation plan or
2 general conservation plan established pur-
3 suant to section 10 of the Endangered
4 Species Act of 1973 (16 U.S.C. 1539); or
5 “(ii) a natural communities conserva-
6 tion plan approved by the State.

7 **“SEC. 1703. TRIBAL USES AND INTERESTS.**

8 “(a) ACCESS.—The Secretary shall ensure access to
9 areas designated under this Act by members of Indian
10 tribes for traditional cultural and religious purposes, con-
11 sistent with applicable law, including Public Law 95–341
12 (commonly known as the ‘American Indian Religious
13 Freedom Act’) (42 U.S.C. 1996).

14 “(b) TEMPORARY CLOSURE.—

15 “(1) IN GENERAL.—In accordance with applica-
16 ble law, including Public Law 95–341 (commonly
17 known as the ‘American Indian Religious Freedom
18 Act’) (42 U.S.C. 1996), and subject to paragraph
19 (2), the Secretary, on request of an Indian tribe or
20 Indian religious community, shall temporarily close
21 to general public use any portion of an area des-
22 ignated as a national monument, special manage-
23 ment area, wild and scenic river, area of critical en-
24 vironmental concern, or National Park System unit
25 under this Act (referred to in this subsection as a

1 ‘designated area’) to protect the privacy of tradi-
2 tional cultural and religious activities in the des-
3 igned area by members of the Indian tribe or In-
4 dian religious community.

5 “(2) LIMITATION.—In closing a portion of a
6 designated area under paragraph (1), the Secretary
7 shall limit the closure to the smallest practicable
8 area for the minimum period necessary for the tradi-
9 tional cultural and religious activities.

10 “(c) TRIBAL CULTURAL RESOURCES MANAGEMENT
11 PLAN.—

12 “(1) IN GENERAL.—Not later than 2 years
13 after the date of enactment of this title, the Sec-
14 retary of the Interior shall develop and implement a
15 tribal cultural resources management plan to iden-
16 tify, protect, and conserve cultural resources of In-
17 dian tribes associated with the Xam Kwatchan Trail
18 network extending from Avikwaame (Spirit Moun-
19 tain, Nevada) to Avikwlal (Pilot Knob, California).

20 “(2) CONSULTATION.—The Secretary shall con-
21 sult on the development and implementation of the
22 tribal cultural resources management plan under
23 paragraph (1) with—

24 “(A) each of—

25 “(i) the Chemehuevi Indian Tribe;

1 “(ii) the Hualapai Tribal Nation;
2 “(iii) the Fort Mojave Indian Tribe;
3 “(iv) the Colorado River Indian
4 Tribes;
5 “(v) the Quechan Indian Tribe; and
6 “(vi) the Cocopah Indian Tribe; and
7 “(B) the Advisory Council on Historic
8 Preservation.

9 “(3) RESOURCE PROTECTION.—The tribal cul-
10 tural resources management plan developed under
11 paragraph (1) shall be—

12 “(A) based on a completed tribal cultural
13 resources survey; and

14 “(B) include procedures for identifying,
15 protecting, and preserving petroglyphs, ancient
16 trails, intaglios, sleeping circles, artifacts, and
17 other resources of cultural, archaeological, or
18 historical significance in accordance with all ap-
19 plicable laws and policies, including—

20 “(i) chapter 2003 of title 54, United
21 States Code;

22 “(ii) Public Law 95–341 (commonly
23 known as the ‘American Indian Religious
24 Freedom Act’) (42 U.S.C. 1996);

1 “(iii) the Archaeological Resources
2 Protection Act of 1979 (16 U.S.C. 470aa
3 et seq.);

4 “(iv) the Native American Graves
5 Protection and Repatriation Act (25
6 U.S.C. 3001 et seq.); and

7 “(v) Public Law 103–141 (commonly
8 known as the ‘Religious Freedom Restora-
9 tion Act of 1993’) (42 U.S.C. 2000bb et
10 seq.).

11 “(d) WITHDRAWAL.—Subject to valid existing rights,
12 all Federal land within the area administratively with-
13 drawn and known as the ‘Indian Pass Withdrawal Area’
14 is permanently withdrawn from—

15 “(1) all forms of entry, appropriation, or dis-
16 posal under the public land laws;

17 “(2) location, entry, and patent under the min-
18 ing laws; and

19 “(3) right-of-way leasing and disposition under
20 all laws relating to minerals or solar, wind, or geo-
21 thermal energy.

22 **“SEC. 1704. RELEASE OF FEDERAL REVERSIONARY LAND**
23 **INTERESTS.**

24 “(a) DEFINITIONS.—In this section:

1 “(1) 1932 ACT.—The ‘1932 Act’ means the Act
2 of June 18, 1932 (47 Stat. 324, chapter 270).

3 “(2) DISTRICT.—The ‘District’ means the Met-
4 ropolitan Water District of Southern California.

5 “(b) RELEASE.—Subject to valid existing claims per-
6 fected prior to the effective date of the 1932 Act and the
7 reservation of minerals set forth in the 1932 Act, the Sec-
8 retary shall release, convey, or otherwise quitclaim to the
9 District, in a form recordable in local county records, and
10 subject to the approval of the District, after consultation
11 and without monetary consideration, all right, title, and
12 remaining interest of the United States in and to the land
13 that was conveyed to the District pursuant to the 1932
14 Act or any other law authorizing conveyance subject to
15 restrictions or reversionary interests retained by the
16 United States, on request by the District.

17 “(c) TERMS AND CONDITIONS.—A conveyance au-
18 thorized by subsection (b) shall be subject to the following
19 terms and conditions:

20 “(1) The District shall cover, or reimburse the
21 Secretary for, the costs incurred by the Secretary to
22 make the conveyance, including title searches, sur-
23 veys, deed preparation, attorneys’ fees, and similar
24 expenses.

1 “(2) By accepting the conveyances, the District
2 agrees to indemnify and hold harmless the United
3 States with regard to any boundary dispute relating
4 to any parcel conveyed under this section.”.

5 **SEC. 3. VISITOR CENTER.**

6 Title IV of the California Desert Protection Act of
7 1994 (16 U.S.C. 410aaa–21 et seq.) is amended by adding
8 at the end the following:

9 **“SEC. 408. VISITOR CENTER.**

10 “(a) IN GENERAL.—The Secretary may acquire not
11 more than 5 acres of land and interests in land, and im-
12 provements on the land and interests, outside the bound-
13 aries of Joshua Tree National Park, in the unincorporated
14 village of Joshua Tree, for the purpose of operating a vis-
15 itor center.

16 “(b) BOUNDARY.—The Secretary shall modify the
17 boundary of the park to include the land acquired under
18 this section as a noncontiguous parcel.

19 “(c) ADMINISTRATION.—Land and facilities acquired
20 under this section—

21 “(1) may include the property owned (as of the
22 date of enactment of this section) by the Joshua
23 Tree National Park Association and commonly re-
24 ferred to as the ‘Joshua Tree National Park Visitor
25 Center’;

1 “(2) shall be administered by the Secretary as
2 part of the park; and

3 “(3) may be acquired only with the consent of
4 the owner, by donation, purchase with donated or
5 appropriated funds, or exchange.”.

6 **SEC. 4. CALIFORNIA STATE SCHOOL LAND.**

7 Section 707 of the California Desert Protection Act
8 of 1994 (16 U.S.C. 410aaa–77) is amended—

9 (1) in subsection (a)—

10 (A) in the first sentence—

11 (i) by striking “Upon request of the
12 California State Lands Commission (here-
13 inafter in this section referred to as the
14 ‘Commission’), the Secretary shall enter
15 into negotiations for an agreement” and
16 inserting the following:

17 “(1) IN GENERAL.—The Secretary shall nego-
18 tiate in good faith to reach an agreement with the
19 California State Lands Commission (referred to in
20 this section as the Commission).”; and

21 (ii) by inserting “, national monu-
22 ments,” after “more of the wilderness
23 areas”; and

1 (B) in the second sentence, by striking
2 “The Secretary shall negotiate in good faith to”
3 and inserting the following:

4 “(2) AGREEMENT.—To the maximum extent
5 practicable, not later than 10 years after the date of
6 enactment of this title, the Secretary shall”;

7 (2) in subsection (b)(1), by inserting “, national
8 monuments,” after “wilderness areas”; and

9 (3) in subsection (c), by adding at the end the
10 following:

11 “(5) SPECIAL DEPOSIT FUND ACCOUNT.—

12 “(A) IN GENERAL.—Assembled land ex-
13 changes may be used to carry out this section
14 through the sale of surplus Federal property
15 and subsequent acquisitions of State school
16 land.

17 “(B) RECEIPTS.—Past and future receipts
18 from the sale of property described in sub-
19 section (a), less any costs incurred related to
20 the sale, shall be deposited in a Special Deposit
21 Fund Account established in the Treasury.

22 “(C) USE.—Funds accumulated in the
23 Special Deposit Fund Account may be used by
24 the Secretary, without an appropriation, to ac-

1 quire State school lands or interest in the land
2 consistent with this section.”.

3 **SEC. 5. DESIGNATION OF WILD AND SCENIC RIVERS.**

4 Section 3(a) of the Wild and Scenic Rivers Act (16
5 U.S.C. 1274(a)) is amended—

6 (1) in paragraph (196), by striking subpara-
7 graph (A) and inserting the following:

8 “(A)(i) The approximately 1.4-mile seg-
9 ment of the Amargosa River in the State of
10 California, from the private property boundary
11 in sec. 19, T. 22 N., R. 7 E., to 100 feet down-
12 stream of Highway 178, to be administered by
13 the Secretary of the Interior as a scenic river
14 as an addition to the wild and scenic river seg-
15 ments of the Amargosa River on publication by
16 the Secretary of a notice in the Federal Reg-
17 ister that sufficient inholdings within the
18 boundaries of the segments have been acquired
19 as scenic easements or in fee title to establish
20 a manageable addition to those segments.

21 “(ii) The approximately 6.1-mile segment
22 of the Amargosa River in the State of Cali-
23 fornia, from 100 feet downstream of the State
24 Highway 178 crossing to 100 feet upstream of
25 the Tecopa Hot Springs Road crossing, to be

1 administered by the Secretary of the Interior as
2 a scenic river.”; and

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

4 “(213) SURPRISE CANYON CREEK, CALI-
5 FORNIA.—

6 “(A) IN GENERAL.—The following seg-
7 ments of Surprise Canyon Creek in the State of
8 California, to be administered by the Secretary
9 of the Interior:

10 “(i) The approximately 5.3 miles of
11 Surprise Canyon Creek from the con-
12 fluence of Frenchman’s Canyon and Water
13 Canyon to 100 feet upstream of Chris
14 Wicht Camp, as a wild river.

15 “(ii) The approximately 1.8 miles of
16 Surprise Canyon Creek from 100 feet up-
17 stream of Chris Wicht Camp to the south-
18 ern boundary of sec. 14, T. 21 N., R. 44
19 E., as a recreational river.

20 “(B) EFFECT ON HISTORIC MINING STRUC-
21 TURES.—Nothing in this paragraph affects the
22 historic mining structures associated with the
23 former Panamint Mining District.

24 “(214) DEEP CREEK, CALIFORNIA.—

1 “(A) IN GENERAL.—The following seg-
2 ments of Deep Creek in the State of California,
3 to be administered by the Secretary of Agri-
4 culture:

5 “(i) The approximately 6.5-mile seg-
6 ment from 0.125 mile downstream of the
7 Rainbow Dam site in sec. 33, T. 2 N., R.
8 2 W., to 0.25 miles upstream of the Road
9 3N34 crossing, as a wild river.

10 “(ii) The 0.5-mile segment from 0.25
11 mile upstream of the Road 3N34 crossing
12 to 0.25 mile downstream of the Road
13 3N34 crossing, as a scenic river.

14 “(iii) The 2.5-mile segment from 0.25
15 miles downstream of the Road 3 N. 34
16 crossing to 0.25 miles upstream of the
17 Trail 2W01 crossing, as a wild river.

18 “(iv) The 0.5-mile segment from 0.25
19 miles upstream of the Trail 2W01 crossing
20 to 0.25 mile downstream of the Trail
21 2W01 crossing, as a scenic river.

22 “(v) The 10-mile segment from 0.25
23 miles downstream of the Trail 2W01 cross-
24 ing to the upper limit of the Mojave dam

1 flood zone in sec. 17, T. 3 N., R. 3 W., as
2 a wild river.

3 “(vi) The 11-mile segment of Hol-
4 comb Creek from 100 yards downstream of
5 the Road 3N12 crossing to .25 miles down-
6 stream of Holcomb Crossing, as a rec-
7 reational river.

8 “(vii) The 3.5-mile segment of the
9 Holcomb Creek from 0.25 miles down-
10 stream of Holcomb Crossing to the Deep
11 Creek confluence, as a wild river.

12 “(B) EFFECT ON SKI OPERATIONS.—Noth-
13 ing in this paragraph affects—

14 “(i) the operations of the Snow Valley
15 Ski Resort; or

16 “(ii) the State regulation of water
17 rights and water quality associated with
18 the operation of the Snow Valley Ski Re-
19 sort.

20 “(215) WHITEWATER RIVER, CALIFORNIA.—
21 The following segments of the Whitewater River in
22 the State of California, to be administered by the
23 Secretary of Agriculture and the Secretary of the In-
24 terior, acting jointly:

1 “(A) The 5.8-mile segment of the North
2 Fork Whitewater River from the source of the
3 River near Mt. San Gorgonio to the confluence
4 with the Middle Fork, as a wild river.

5 “(B) The 6.4-mile segment of the Middle
6 Fork Whitewater River from the source of the
7 River to the confluence with the South Fork, as
8 a wild river.

9 “(C) The 1-mile segment of the South
10 Fork Whitewater River from the confluence of
11 the River with the East Fork to the section line
12 between sections 32 and 33, T. 1 S., R. 2 E.,
13 as a wild river.

14 “(D) The 1-mile segment of the South
15 Fork Whitewater River from the section line be-
16 tween sections 32 and 33, T. 1 S., R. 2 E., to
17 the section line between sections 33 and 34, T.
18 1 S., R. 2 E., as a recreational river.

19 “(E) The 4.9-mile segment of the South
20 Fork Whitewater River from the section line be-
21 tween sections 33 and 34, T. 1 S., R. 2 E., to
22 the confluence with the Middle Fork, as a wild
23 river.

24 “(F) The 5.4-mile segment of the main
25 stem of the Whitewater River from the con-

1 fluence of the South and Middle Forks to the
2 San Gorgonio Wilderness boundary, as a wild
3 river.

4 “(G) The 3.6-mile segment of the main
5 stem of the Whitewater River from the San
6 Gorgonio Wilderness boundary to .25 miles up-
7 stream of the southern boundary of section 35,
8 T. 2 S., R. 3 E., as a recreational river.”.

9 **SEC. 6. CONFORMING AMENDMENTS.**

10 (a) **SHORT TITLE.**—Section 1 of the California
11 Desert Protection Act of 1994 (16 U.S.C. 410aaa note;
12 Public Law 103–433) is amended by striking “1 and 2,
13 and titles I through IX” and inserting “1, 2, and 3, titles
14 I through IX, and titles XIII through XVIII”.

15 (b) **DEFINITIONS.**—The California Desert Protection
16 Act of 1994 (Public Law 103–433; 108 Stat. 4481) is
17 amended by inserting after section 2 the following:

18 **“SEC. 3. DEFINITIONS.**

19 “**In titles XIII through XVIII:**

20 “(1) **CONSERVATION AREA.**—The term ‘Con-
21 servation Area’ means the California Desert Con-
22 servation Area.

23 “(2) **SECRETARY.**—The term ‘Secretary’
24 means—

1 “(A) with respect to land under the juris-
2 diction of the Secretary of the Interior, the Sec-
3 retary of the Interior; and

4 “(B) with respect to land under the juris-
5 diction of the Secretary of Agriculture, the Sec-
6 retary of Agriculture.

7 “(3) STATE.—The term ‘State’ means the State
8 of California.”.

9 (c) ADMINISTRATION OF WILDERNESS AREAS.—Sec-
10 tion 103 of the California Desert Protection Act of 1994
11 (Public Law 103–433; 108 Stat. 4481) is amended—

12 (1) by striking subsection (d) and inserting the
13 following:

14 “(d) NO BUFFER ZONES.—

15 “(1) IN GENERAL.—Congress does not intend
16 for the designation of wilderness areas by this Act—

17 “(A) to require the additional regulation of
18 land adjacent to the wilderness areas; or

19 “(B) to lead to the creation of protective
20 perimeters or buffer zones around the wilder-
21 ness areas.

22 “(2) NONWILDERNESS ACTIVITIES.—Any non-
23 wilderness activities (including renewable energy
24 projects, energy transmission or telecommunications
25 projects, mining, camping, hunting, and military ac-

1 tivities) in areas immediately adjacent to the bound-
2 ary of a wilderness area designated by this Act shall
3 not be restricted or precluded by this Act, regardless
4 of any actual or perceived negative impacts of the
5 nonwilderness activities on the wilderness area, in-
6 cluding any potential indirect impacts of nonwilder-
7 ness activities conducted outside the designated wil-
8 derness area on the viewshed, ambient noise level, or
9 air quality of wilderness area.”;

10 (2) in subsection (f), by striking “designated by
11 this title and” inserting “, potential wilderness
12 areas, special management areas, and national
13 monuments designated by this title or titles XIII
14 through XVIII”; and

15 (3) in subsection (g), by inserting “, a potential
16 wilderness area, a special management areas, or na-
17 tional monument” before “by this Act”.

18 (d) JUNIPER FLATS.—Title VII of the California
19 Desert Protection Act of 1994 (Public Law 103–433; 108
20 Stat. 4497) is amended by adding at the end the following
21 new section:

22 **“SEC. 712. JUNIPER FLATS.**

23 “Development of renewable energy generation facili-
24 ties (excluding rights-of-way or facilities for the trans-
25 mission of energy and telecommunication facilities and in-

1 frastructure) is prohibited on the approximately 28,000
2 acres of Federal land generally depicted as ‘BLM Land
3 Withdrawn from Energy Development and Power Genera-
4 tion’ on the map entitled ‘Juniper Flats’ and dated Sep-
5 tember 21, 2015.”.

6 (e) CALIFORNIA MILITARY LANDS WITHDRAWAL
7 AND OVERFLIGHTS ACT OF 1994.—

8 (1) FINDINGS.—Section 801(b)(2) of the Cali-
9 fornia Military Lands Withdrawal and Overflights
10 Act of 1994 (16 U.S.C. 410aaa–82 note; Public Law
11 103–433) is amended by inserting “, special man-
12 agement areas, potential wilderness areas,” before
13 “and wilderness areas”.

14 (2) OVERFLIGHTS; SPECIAL AIRSPACE.—Section
15 802 of the California Military Lands Withdrawal
16 and Overflights Act of 1994 (16 U.S.C. 410aaa–82)
17 is amended—

18 (A) in subsection (a), by inserting “or spe-
19 cial management areas” before “designated by
20 this Act”;

21 (B) in subsection (b), by inserting “or spe-
22 cial management areas” before “designated by
23 this Act”; and

24 (C) by adding at the end the following:

1 “(d) DEPARTMENT OF DEFENSE FACILITIES.—
2 Nothing in this Act alters any authority of the Secretary
3 of Defense to conduct military operations at installations
4 and ranges within the California Desert Conservation
5 Area that are authorized under any other provision of
6 law.”.

7 (f) CLARIFICATION REGARDING FUNDING.—No addi-
8 tional funds are authorized to carry out the requirements
9 of this Act and the amendments made by this Act. Such
10 requirements shall be carried out using amounts otherwise
11 authorized.

○

115TH CONGRESS
1ST SESSION

H. R. 1913

IN THE SENATE OF THE UNITED STATES

JULY 12, 2017

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, 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 “Clear Creek National
3 Recreation Area and Conservation Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **MANAGEMENT PLAN.**—The term “manage-
7 ment plan” means the Plan for the Recreation Area
8 prepared under section 4(c).

9 (2) **RECREATION AREA.**—The term “Recreation
10 Area” means the Clear Creek National Recreation
11 Area.

12 (3) **SECRETARY.**—The term “Secretary” means
13 the Secretary of the Interior.

14 (4) **STATE.**—The term “State” means the State
15 of California.

16 (5) **OFF HIGHWAY VEHICLE.**—The term “off
17 highway vehicle” means any motorized vehicle de-
18 signed for or capable of cross-country travel on or
19 immediately over land, water, snow, or other natural
20 terrain and not intended for use on public roads.

21 **SEC. 3. ESTABLISHMENT OF CLEAR CREEK NATIONAL**
22 **RECREATION AREA.**

23 (a) **IN GENERAL.**—To promote environmentally re-
24 sponsible off highway vehicle recreation, the area generally
25 depicted as “Proposed Clear Creek National Recreation
26 Area” on the map titled “Proposed Clear Creek National

1 Recreation Area” and dated February 14, 2017, is estab-
2 lished as the “Clear Creek National Recreation Area”, to
3 be managed by the Secretary.

4 (b) OTHER PURPOSES.—The Recreation Area shall
5 also support other public recreational uses, such as hunt-
6 ing, hiking, and rock and gem collecting.

7 (c) MAP ON FILE.—Copies of the map referred to in
8 subsection (a) shall be on file and available for public in-
9 spection in—

10 (1) the Office of the Director of the Bureau of
11 Land Management; and

12 (2) the appropriate office of the Bureau of
13 Land Management in California.

14 **SEC. 4. MANAGEMENT.**

15 (a) IN GENERAL.—The Secretary shall manage the
16 Recreation Area to further the purposes described in sec-
17 tion 3(a), in accordance with—

18 (1) this Act;

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

21 (3) any other applicable law.

22 (b) USES.—The Secretary shall—

23 (1) prioritize environmentally responsible off
24 highway vehicle recreation and also facilitate hunt-
25 ing, hiking, gem collecting, and the use of motorized

1 vehicles, mountain bikes, and horses in accordance
2 with the management plan described in subsection
3 (c);

4 (2) issue special recreation permits for motor-
5 ized and non-motorized events; and

6 (3) reopen the Clear Creek Management Area
7 to the uses described in this subsection as soon as
8 practicable following the enactment of this Act and
9 in accordance with the management guidelines out-
10 lined in this Act and other applicable law.

11 (c) INTERIM MANAGEMENT PLAN.—The Secretary
12 shall use the 2006 Clear Creek Management Area Re-
13 source Management Plan Amendment and Route Designa-
14 tion Record of Decision as modified by this Act or the
15 Secretary to incorporate natural resource protection infor-
16 mation not available in 2006, as the basis of an interim
17 management plan to govern off highway vehicle recreation
18 within the Recreation Area pending the completion of the
19 long-term management plan required in subsection (d).

20 (d) PERMANENT MANAGEMENT PLAN.—Not later
21 than 2 years after the date of the enactment of this Act,
22 the Secretary shall create a comprehensive management
23 plan for the Clear Creek Recreation Area that—

1 (1) shall describe the appropriate uses and
2 management of the Recreation Area in accordance
3 with this Act;

4 (2) shall be prepared in consultation with—

5 (A) appropriate Federal, State, and local
6 agencies (including San Benito, Monterey, and
7 Fresno Counties);

8 (B) adjacent land owners;

9 (C) other stakeholders (including conserva-
10 tion and recreational organizations); and

11 (D) holders of any easements, rights-of-
12 way, and other valid rights in the Recreation
13 Area;

14 (3) shall include a hazards education program
15 to inform people entering the Recreation Area of the
16 asbestos related risks associated with various activi-
17 ties within the Recreation Area, including off-high-
18 way vehicle recreation;

19 (4) shall include a user fee program for motor-
20 ized vehicle use within the Recreational Area and
21 guidelines for the use of the funds collected for the
22 management and improvement of the Recreation
23 Area;

24 (5) shall designate as many previously used
25 trails, roads, and other areas for off highway vehicle

1 recreation as feasible in accordance with this in
2 order to provide a substantially similar recreational
3 experience, except that nothing in this paragraph
4 shall be construed as precluding the Secretary from
5 closing any area, trail, or route from use for the
6 purposes of public safety or resource protection;

7 (6) may incorporate any appropriate decisions,
8 as determined by the Secretary, in accordance with
9 this Act, that are contained in any management or
10 activity plan for the area completed before the date
11 of the enactment of this Act;

12 (7) may incorporate appropriate wildlife habitat
13 management plans or other plans prepared for the
14 land within or adjacent to the Recreation Area be-
15 fore the date of the enactment of this Act, in accord-
16 ance with this Act;

17 (8) may use information developed under any
18 studies of land within or adjacent to the Recreation
19 Area carried out before the date of enactment of this
20 Act; and

21 (9) may include cooperative agreements with
22 State or local government agencies to manage all or
23 a portion of the recreational activities within the
24 Recreation Area in accordance with an approved
25 management plan and the requirements of this Act.

1 (e) ACQUISITION OF PROPERTY.—

2 (1) IN GENERAL.—The Secretary may acquire
3 land adjacent to the National Recreation Area by
4 purchase from willing sellers, donation, or exchange.

5 (2) MANAGEMENT.—Any land acquired under
6 paragraph (1) shall be managed in accordance
7 with—

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

10 (B) this Act; and

11 (C) any other applicable law (including
12 regulations).

13 (3) IMPROVED ACCESS.—The Secretary may ac-
14 quire by purchase from willing sellers, donation, ex-
15 change, or easement, land, or interest in land to im-
16 prove public safety in providing access to the Recre-
17 ation Area.

18 (f) PRIVATE PROPERTY.—

19 (1) ACCESS TO PRIVATE PROPERTY.—

20 (A) IN GENERAL.—The Secretary shall
21 provide landowners adequate access to in-
22 holdings within the Recreation Area.

23 (B) INHOLDINGS.—For access purposes,
24 private land adjacent to the Recreation Area to
25 which there is no other practicable access ex-

1 cept through the Recreation Area shall be man-
2 aged as an inholding.

3 (2) USE OF PRIVATE PROPERTY.—Nothing in
4 this Act affects the ownership, management, or
5 other rights relating to any non-Federal land (in-
6 cluding any interest in any non-Federal land).

7 (3) BUFFER ZONES.—Nothing in this Act cre-
8 ates a protective perimeter or buffer zone around the
9 Recreation Area.

10 (4) VALID RIGHTS.—Nothing in this Act affects
11 any easements, rights-of-way, and other valid rights
12 in existence on the date of the enactment of this
13 Act.

14 (g) WATER RIGHT EXCLUSION.—Nothing in this
15 Act—

16 (1) shall constitute or be construed to con-
17 stitute either an express or implied reservation by
18 the United States of any water or water rights with
19 respect to the Recreation Area; or

20 (2) shall affect any water rights existing on the
21 date of the enactment of this Act.

22 (h) HUNTING AND FISHING.—Nothing in this Act—

23 (1) limits hunting or fishing; or

24 (2) affects the authority, jurisdiction, or respon-
25 sibility of the State to manage, control, or regulate

1 fish and resident wildlife under State law (including
2 regulations), including the regulation of hunting or
3 fishing on public land managed by the Bureau of
4 Land Management.

5 (i) **MOTORIZED VEHICLES.**—Except in cases in which
6 motorized vehicles are needed for administrative purposes
7 or to respond to an emergency, the use of motorized vehi-
8 cles on public land in the Recreation Area shall be per-
9 mitted only on roads, trails, and areas designated by the
10 management plan for the use by motorized vehicles.

11 (j) **GRAZING.**—In the Recreation Area, the grazing
12 of livestock in areas in which grazing is allowed as of the
13 date of the enactment of this Act shall be allowed to con-
14 tinue, consistent with—

15 (1) this Act;

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

18 (3) any regulations promulgated by the Sec-
19 retary, acting through the Director of the Bureau of
20 Land Management.

21 (k) **WITHDRAWAL.**—Subject to valid existing rights,
22 all Federal land within the Recreation Area is withdrawn
23 from—

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

1 (2) location, entry, and patenting under the
2 mining laws; and

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

5 (l) FEES.—Amounts received by the Secretary under
6 the fee structure required by subsection (d)(4) shall be—

7 (1) deposited in a special account in the Treas-
8 ury of the United States; and

9 (2) made available until expended to the Sec-
10 retary for use in the Recreation Area.

11 (m) RISK STANDARD.—The National Oil and Haz-
12 ardous Substances Pollution Contingency Plan (section
13 300 of title 40, Code of Federal Regulations), published
14 pursuant to section 105 of the Comprehensive Environ-
15 mental Response, Compensation, and Liability Act of
16 1980 (42 U.S.C. 9605), shall not apply to the Secretary’s
17 management of asbestos exposure risks faced by the public
18 when recreating within the Clear Creek Recreation Area
19 described in section 3(b).

20 **SEC. 5. JOAQUIN ROCKS WILDERNESS.**

21 In accordance with the Wilderness Act (16 U.S.C.
22 1131 et seq.), the approximately 21,000 acres of Federal
23 lands located in Fresno County and San Benito County,
24 California, and generally depicted on a map entitled “Pro-
25 posed Joaquin Rocks Wilderness” and dated February 14,

1 2017, is designated as wilderness and as a component of
2 the National Wilderness Preservation System and shall be
3 known as the “Joaquin Rocks Wilderness”.

4 **SEC. 6. RELEASE OF SAN BENITO MOUNTAIN WILDERNESS**
5 **STUDY AREA.**

6 (a) FINDING.—Congress finds that, for the purposes
7 of section 603 of the Federal Land Policy and Manage-
8 ment Act of 1976 (43 U.S.C. 1782), the San Benito
9 Mountain wilderness study area has been adequately stud-
10 ied for wilderness designation.

11 (b) RELEASE.—The San Benito Mountain wilderness
12 study area is no longer subject to section 603(c) of the
13 Federal Land Policy and Management Act of 1976 (43
14 U.S.C. 1782(c)).

15 **SEC. 7. CLARIFICATION REGARDING FUNDING.**

16 No additional funds are authorized to carry out the
17 requirements of this Act. Such requirements shall be car-
18 ried out using amounts otherwise authorized.

Passed the House of Representatives July 11, 2017.

Attest:

KAREN L. HAAS,

Clerk.

115TH CONGRESS
1ST SESSION

H. R. 2365

To convey certain Federal land in California to Apple Valley, California, Twentynine Palms, California, Barstow, California, and Victorville, California.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2017

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

A BILL

To convey certain Federal land in California to Apple Valley, California, Twentynine Palms, California, Barstow, California, and Victorville, California.

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 “Desert Community
5 Lands Act”.

6 **SEC. 2. CONVEYANCE FOR APPLE VALLEY OFF-HIGHWAY**

7 **VEHICLE RECREATION AREA.**

8 (a) DEFINITIONS.—In this section:

9 (1) TOWN.—The term “Town” means the town
10 of Apple Valley, California.

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (b) CONVEYANCE OF FEDERAL LAND TO TOWN.—

4 (1) CONVEYANCE REQUIRED.—Not later than 5
5 years after the date of the enactment of this Act, the
6 Secretary shall convey to the Town, without consid-
7 eration, all right, title, and interest of the United
8 States in and to the surface estate of the approxi-
9 mately 4,630 acres of land generally depicted as
10 “Proposed Conveyance Area” on the entitled “Con-
11 veyance to Town of Apple Valley” and dated June
12 1, 2015. Such land shall be known and designated
13 as the “Apple Valley Off-Highway Vehicle Recre-
14 ation Area”.

15 (2) EXISTING RIGHTS AND MINERAL ESTATE.—

16 The conveyance under this subsection—

17 (A) is subject to valid existing rights; and

18 (B) does not include the mineral estate.

19 (c) USE OF CONVEYED LAND.—

20 (1) IN GENERAL.—The land conveyed under
21 subsection (b) may be used by the Town for any
22 public purpose authorized in paragraph (2), con-
23 sistent with the Act of June 14, 1926 (commonly
24 known as the Recreation and Public Purposes Act;
25 43 U.S.C. 869 et seq.).

1 (2) AUTHORIZED PURPOSES.—The purposes of
2 the conveyance under subsection (b) are to allow the
3 Town to use the conveyed land to provide—

4 (A) a suitable location for the establish-
5 ment of a centralized off-road vehicle recreation
6 park;

7 (B) the public with opportunities for off-
8 road vehicle recreation, including a location for
9 races, competitive events, training and other
10 commercial services that directly support a cen-
11 tralized off-road vehicle recreation area and
12 Town park; and

13 (C) a designated area and facilities that
14 would discourage unauthorized use of off-high-
15 way vehicles in areas that have been identified
16 by the Federal Government, the State of Cali-
17 fornia, or the County as containing environ-
18 mentally sensitive land.

19 (3) DISPOSAL PROHIBITED.—The land con-
20 veyed under subsection (b) may not be disposed of
21 by the Town without the approval of the Secretary.

22 (d) MANAGEMENT PLAN.—The Secretary may de-
23 velop a special management plan for the Apple Valley Off-
24 Highway Vehicle Recreation Area to enhance the safe use
25 of off-highway vehicles for recreational purposes.

1 **SEC. 3. CONVEYANCE TO CITY OF TWENTYNINE PALMS,**
2 **CALIFORNIA.**

3 (a) CONVEYANCE REQUIRED.—Not later than 1 year
4 after the date of the enactment of this Act, the Secretary
5 of the Interior shall convey to the city of Twentynine
6 Palms, California, without consideration, all right, title,
7 and interest of the United States in and to the surface
8 estate of the land generally depicted as “Proposed Convey-
9 ance to Twentynine Palms” on the map entitled “Pro-
10 posed Conveyance to Twentynine Palms” and dated Sep-
11 tember 18, 2015.

12 (b) EXISTING RIGHTS AND MINERAL ESTATE.—The
13 conveyance under this section—

14 (1) is subject to valid existing rights; and

15 (2) does not include the mineral estate.

16 **SEC. 4. CONVEYANCE TO CITY OF BARSTOW, CALIFORNIA.**

17 (a) CONVEYANCE REQUIRED.—Not later than 1 year
18 after the date of the enactment of this Act, the Secretary
19 of the Interior shall convey to the city of Barstow, Cali-
20 fornia, without consideration, all right, title, and interest
21 of the United States in and to the surface estate of the
22 land generally depicted as “Proposed Conveyance” on the
23 map entitled “Proposed Conveyance to the City of Bar-
24 stow” and dated January 13, 2017.

25 (b) EXISTING RIGHTS AND MINERAL ESTATE.—The
26 conveyance under this section—

1 (1) is subject to valid existing rights; and

2 (2) does not include the mineral estate.

3 **SEC. 5. CONVEYANCE TO CITY OF VICTORVILLE, CALI-**
4 **FORNIA.**

5 (a) CONVEYANCE REQUIRED.—Not later than one
6 year after the date of the enactment of this Act, the Sec-
7 retary of the Interior shall convey to the City of
8 Victorville, California, without consideration, all right,
9 title, and interest of the United States in and to the sur-
10 face estate of the land generally depicted as “Proposed
11 Conveyance” on the map entitled “Proposed Conveyance
12 to the City of Victorville” and dated April 25, 2017.

13 (b) EXISTING RIGHTS AND MINERAL ESTATE.—The
14 conveyance under this subsection—

15 (1) is subject to valid existing rights; and

16 (2) does not include the mineral estate.

○

115TH CONGRESS
1ST SESSION

H. R. 4072

To designate certain Federal land in the State of California as wilderness,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2017

Mr. CARBAJAL (for himself, Ms. BROWNLEY of California, and Mr. PANETTA)
introduced the following bill; which was referred to the Committee on
Natural Resources

A BILL

To designate certain Federal land in the State of California
as wilderness, 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 “Central Coast Heritage Protection Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Designation of wilderness.
- Sec. 4. Designation of the Machesna Mountain Potential Wilderness.
- Sec. 5. Administration of wilderness.
- Sec. 6. Designation of wild and scenic rivers.

Sec. 7. Designation of the Fox Mountain Potential Wilderness.

Sec. 8. Designation of scenic areas.

Sec. 9. Condor National Recreation Trail.

Sec. 10. Forest service study.

Sec. 11. Nonmotorized recreation opportunities.

Sec. 12. Use by members of Tribes.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) SCENIC AREAS.—The term “scenic area”
4 means a scenic area designated by section 8(a).

5 (2) SECRETARY.—The term “Secretary”
6 means—

7 (A) with respect to land managed by the
8 Bureau of Land Management, the Secretary of
9 the Interior; and

10 (B) with respect to land managed by the
11 Forest Service, the Secretary of Agriculture.

12 (3) STATE.—The term “State” means the State
13 of California.

14 (4) WILDERNESS AREA.—The term “wilderness
15 area” means a wilderness area or wilderness addi-
16 tion designated by section 3(a).

17 **SEC. 3. DESIGNATION OF WILDERNESS.**

18 (a) IN GENERAL.—In accordance with the Wilderness
19 Act (16 U.S.C. 1131 et seq.), the following areas in the
20 State are designated as wilderness areas and as compo-
21 nents of the National Wilderness Preservation System:

1 (1) Certain land in the Bakersfield Field Office
2 of the Bureau of Land Management comprising ap-
3 proximately 35,619 acres, as generally depicted on
4 the map entitled “Caliente Mountain Wilderness
5 Area—Proposed” and dated May 31, 2017, which
6 shall be known as the “Caliente Mountain Wilder-
7 ness”.

8 (2) Certain land in the Bakersfield Field Office
9 of the Bureau of Land Management comprising ap-
10 proximately 13,332 acres, as generally depicted on
11 the map entitled “Soda Lake Wilderness Area—Pro-
12 posed” and dated May 31, 2017, which shall be
13 known as the “Soda Lake Wilderness”.

14 (3) Certain land in the Bakersfield Field Office
15 of the Bureau of Land Management comprising ap-
16 proximately 12,585 acres, as generally depicted on
17 the map entitled “Temblor Range Wilderness
18 Area—Proposed” and dated May 31, 2017, which
19 shall be known as the “Temblor Range Wilderness”.

20 (4) Certain land in the Los Padres National
21 Forest comprising approximately 23,670 acres, as
22 generally depicted on the map entitled “Chumash
23 Wilderness Area Additions—Proposed” and dated
24 October 4, 2017, which shall be incorporated into
25 and managed as part of the Chumash Wilderness as

1 designated by the Los Padres Condor Range and
2 River Protection Act (Public Law 102–301; 106
3 Stat. 242).

4 (5) Certain land in the Los Padres National
5 Forest comprising approximately 54,221 acres, as
6 generally depicted on the maps entitled “Dick Smith
7 Wilderness Area Additions—Proposed Map 1 of 2
8 (Bear Canyon and Cuyama Peak Units)” and “Dick
9 Smith Wilderness Area Additions—Proposed Map 2
10 of 2 (Buckhorn and Mono Units)” and dated Octo-
11 ber 4, 2017, which shall be incorporated into and
12 managed as part of the Dick Smith Wilderness as
13 designated by the California Wilderness Act of 1984
14 (Public Law 98–425; 16 U.S.C. 1132 note).

15 (6) Certain land in the Los Padres National
16 Forest and the Bakersfield Field Office of the Bu-
17 reau of Land Management comprising approximately
18 7,289 acres, as generally depicted on the map enti-
19 tled “Garcia Wilderness Area Additions—Proposed”
20 and dated October 4, 2017, which shall be incor-
21 porated into and managed as part of the Garcia Wil-
22 derness as designated by the Los Padres Condor
23 Range and River Protection Act (Public Law 102–
24 301; 106 Stat. 242).

1 (7) Certain land in the Los Padres National
2 Forest and the Bakersfield Field Office of the Bu-
3 reau of Land Management comprising approximately
4 8,671 acres, as generally depicted on the map enti-
5 tled “Machesna Mountain Wilderness Area Addi-
6 tions—Proposed” and dated October 4, 2017, which
7 shall be incorporated into and managed as part of
8 the Machesna Mountain Wilderness as designated by
9 the California Wilderness Act of 1984 (Public Law
10 98–425; 16 U.S.C. 1132 note).

11 (8) Certain land in the Los Padres National
12 Forest comprising approximately 30,184 acres, as
13 generally depicted on the map entitled “Matilija Wil-
14 derness Area Additions—Proposed” and dated Octo-
15 ber 4, 2017, which shall be incorporated into and
16 managed as part of the Matilija Wilderness as des-
17 ignated by the Los Padres Condor Range and River
18 Protection Act (Public Law 102–301; 106 Stat.
19 242).

20 (9) Certain land in the Los Padres National
21 Forest comprising approximately 24,040 acres, as
22 generally depicted on the map entitled “San Rafael
23 Wilderness Area Additions—Proposed” and dated
24 October 4, 2017, which shall be incorporated into
25 and managed as part of the San Rafael Wilderness

1 as designated by Public Law 90–271 (82 Stat. 51),
2 the California Wilderness Act of 1984 (Public Law
3 98–425; 16 U.S.C. 1132 note), and the Los Padres
4 Condor Range and River Protection Act (Public Law
5 102–301; 106 Stat. 242).

6 (10) Certain land in the Los Padres National
7 Forest comprising approximately 3,115 acres, as
8 generally depicted on the map entitled “Santa Lucia
9 Wilderness Area Additions—Proposed” and dated
10 October 4, 2017, which shall be incorporated into
11 and managed as part of the Santa Lucia Wilderness
12 as designated by the Endangered American Wilder-
13 ness Act of 1978 (Public Law 95–237; 16 U.S.C.
14 1132 note).

15 (11) Certain land in the Los Padres National
16 Forest comprising approximately 14,313 acres, as
17 generally depicted on the map entitled “Sespe Wil-
18 derness Area Additions—Proposed” and dated Octo-
19 ber 4, 2017, which shall be incorporated into and
20 managed as part of the Sespe Wilderness as des-
21 ignated by the Los Padres Condor Range and River
22 Protection Act (Public Law 102–301; 106 Stat.
23 242).

24 (12) Certain land in the Los Padres National
25 Forest comprising approximately 17,870 acres, as

1 generally depicted on the map entitled “Diablo
2 Caliente Wilderness Area—Proposed” and dated Oc-
3 tober 4, 2017, which shall be known as the “Diablo
4 Caliente Wilderness”.

5 (b) MAPS AND LEGAL DESCRIPTIONS.—

6 (1) IN GENERAL.—As soon as practicable after
7 the date of enactment of this Act, the Secretary
8 shall file maps and legal descriptions of the wilder-
9 ness areas with—

10 (A) the Committee on Energy and Natural
11 Resources of the Senate; and

12 (B) the Committee on Natural Resources
13 of the House of Representatives.

14 (2) FORCE OF LAW.—The maps and legal de-
15 scriptions filed under paragraph (1) shall have the
16 same force and effect as if included in this Act, ex-
17 cept that the Secretary may correct any clerical and
18 typographical errors in the maps and legal descrip-
19 tions.

20 (3) PUBLIC AVAILABILITY.—The maps and
21 legal descriptions filed under paragraph (1) shall be
22 on file and available for public inspection in the ap-
23 propriate offices of the Forest Service and Bureau
24 of Land Management.

1 **SEC. 4. DESIGNATION OF THE MACHESNA MOUNTAIN PO-**
2 **TENTIAL WILDERNESS.**

3 (a) DESIGNATION.—In furtherance of the purposes of
4 the Wilderness Act (16 U.S.C. 1131 et seq.), certain land
5 in the Los Padres National Forest comprising approxi-
6 mately 2,359 acres, as generally depicted on the map enti-
7 tled “Machesna Mountain Potential Wilderness Area” and
8 dated October 4, 2017, is designated as the Machesna
9 Mountain Potential Wilderness Area.

10 (b) MAP AND LEGAL DESCRIPTION.—

11 (1) IN GENERAL.—As soon as practicable after
12 the date of enactment of this Act, the Secretary
13 shall file a map and legal description of the
14 Machesna Mountain Potential Wilderness Area (re-
15 ferred to in this section as the “potential wilderness
16 area”) with—

17 (A) the Committee on Energy and Natural
18 Resources of the Senate; and

19 (B) the Committee on Natural Resources
20 of the House of Representatives.

21 (2) FORCE OF LAW.—The map and legal de-
22 scription filed under paragraph (1) shall have the
23 same force and effect as if included in this Act, ex-
24 cept that the Secretary may correct any clerical and
25 typographical errors in the map and legal descrip-
26 tion.

1 (3) PUBLIC AVAILABILITY.—The map and legal
2 description filed under paragraph (1) shall be on file
3 and available for public inspection in the appropriate
4 offices of the Forest Service.

5 (c) MANAGEMENT.—Except as provided in subsection
6 (d) and subject to valid existing rights, the Secretary shall
7 manage the potential wilderness area in accordance with
8 the Wilderness Act (16 U.S.C. 1131 et seq.).

9 (d) TRAIL USE, CONSTRUCTION, RECONSTRUCTION,
10 AND REALIGNMENT.—

11 (1) IN GENERAL.—In accordance with para-
12 graph (2), the Secretary may reconstruct, realign, or
13 reroute the Pine Mountain Trail.

14 (2) REQUIREMENT.—In carrying out the recon-
15 struction, realignment, or rerouting under paragraph
16 (1), the Secretary shall—

17 (A) comply with all existing laws (including
18 regulations); and

19 (B) to the maximum extent practicable,
20 use the minimum tool or administrative practice
21 necessary to accomplish the reconstruction, re-
22 alignment, or rerouting with the least amount
23 of adverse impact on wilderness character and
24 resources.

1 (3) **MOTORIZED VEHICLES AND MACHINERY.**—

2 In accordance with paragraph (2), the Secretary
3 may use motorized vehicles and machinery to carry
4 out the trail reconstruction, realignment, or rerout-
5 ing authorized by this subsection.

6 (4) **MOTORIZED AND MECHANIZED VEHI-**

7 **CLES.**—The Secretary may permit the use of motor-
8 ized and mechanized vehicles on the existing Pine
9 Mountain Trail in accordance with existing law (in-
10 cluding regulations) and this subsection until such
11 date as the potential wilderness area is designated
12 as wilderness in accordance with subsection (h).

13 (e) **WITHDRAWAL.**—Subject to valid existing rights,
14 the Federal land in the potential wilderness area is with-
15 drawn from all forms of—

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

18 (2) location, entry, and patent under the mining
19 laws; and

20 (3) disposition under all laws pertaining to min-
21 eral and geothermal leasing or mineral materials.

22 (f) **COOPERATIVE AGREEMENTS.**—In carrying out
23 this section, the Secretary may enter into cooperative
24 agreements with State, Tribal, and local governmental en-
25 tities and private entities to complete the trail construc-

1 tion, realignment, or rerouting authorized by subsection
2 (d).

3 (g) BOUNDARIES.—The Secretary shall modify the
4 boundary of the potential wilderness area to exclude any
5 area within 150 feet of the centerline of the new location
6 of any trail that has been reconstructed, realigned, or re-
7 routed under subsection (d).

8 (h) WILDERNESS DESIGNATION.—

9 (1) IN GENERAL.—The potential wilderness
10 area, as modified under subsection (g), shall be des-
11 ignated as wilderness and as a component of the Na-
12 tional Wilderness Preservation System on the earlier
13 of—

14 (A) the date on which the Secretary pub-
15 lishes in the Federal Register notice that the
16 trail reconstruction, realignment, or rerouting
17 authorized by subsection (d) has been com-
18 pleted; and

19 (B) the date that is 20 years after the date
20 of enactment of this Act.

21 (2) ADMINISTRATION OF WILDERNESS.—On
22 designation as wilderness under this section, the po-
23 tential wilderness area shall be—

24 (A) incorporated into the Machesna Moun-
25 tain Wilderness Area, as designated by the Cali-

1 California Wilderness Act of 1984 (Public Law 98–
2 425; 16 U.S.C. 1132 note) and expanded by
3 section 3; and

4 (B) administered in accordance with sec-
5 tion 5 and the Wilderness Act (16 U.S.C. 1131
6 et seq.).

7 **SEC. 5. ADMINISTRATION OF WILDERNESS.**

8 (a) **IN GENERAL.**—Subject to valid existing rights,
9 the wilderness areas shall be administered by the Sec-
10 retary in accordance with this Act and the Wilderness Act
11 (16 U.S.C. 1131 et seq.), except that—

12 (1) any reference in the Wilderness Act (16
13 U.S.C. 1131 et seq.) to the effective date of that Act
14 shall be considered to be a reference to the date of
15 enactment of this Act; and

16 (2) any reference in the Wilderness Act (16
17 U.S.C. 1131 et seq.) to the Secretary of Agriculture
18 shall be considered to be a reference to the Secretary
19 that has jurisdiction over the wilderness area.

20 (b) **FIRE MANAGEMENT AND RELATED ACTIVI-**
21 **TIES.**—

22 (1) **IN GENERAL.**—The Secretary may take any
23 measures in a wilderness area as are necessary for
24 the control of fire, insects, and diseases in accord-
25 ance with section 4(d)(1) of the Wilderness Act (16

1 U.S.C. 1133(d)(1)) and House Report 98–40 of the
2 98th Congress.

3 (2) FUNDING PRIORITIES.—Nothing in this Act
4 limits funding for fire and fuels management in the
5 wilderness areas.

6 (3) REVISION AND DEVELOPMENT OF LOCAL
7 FIRE MANAGEMENT PLANS.—As soon as practicable
8 after the date of enactment of this Act, the Sec-
9 retary shall amend the local information in the Fire
10 Management Reference System or individual oper-
11 ational plans that apply to the land designated as a
12 wilderness area.

13 (4) ADMINISTRATION.—Consistent with para-
14 graph (1) and other applicable Federal law, to en-
15 sure a timely and efficient response to fire emer-
16 gencies in the wilderness areas, the Secretary shall
17 enter into agreements with appropriate State or
18 local firefighting agencies.

19 (c) GRAZING.—The grazing of livestock in the wilder-
20 ness areas, if established before the date of enactment of
21 this Act, shall be permitted to continue, subject to any
22 reasonable regulations as the Secretary considers nec-
23 essary in accordance with—

24 (1) section 4(d)(4) of the Wilderness Act (16
25 U.S.C. 1133(d)(4));

1 (2) the guidelines set forth in Appendix A of
2 House Report 101–405, accompanying H.R. 2570 of
3 the 101st Congress for land under the jurisdiction of
4 the Secretary of the Interior;

5 (3) the guidelines set forth in House Report
6 96–617, accompanying H.R. 5487 of the 96th Con-
7 gress for land under the jurisdiction of the Secretary
8 of Agriculture; and

9 (4) all other laws governing livestock grazing on
10 Federal public land.

11 (d) FISH AND WILDLIFE.—

12 (1) IN GENERAL.—In accordance with section
13 4(d)(7) of the Wilderness Act (16 U.S.C.
14 1133(d)(7)), nothing in this Act affects the jurisdic-
15 tion or responsibilities of the State with respect to
16 fish and wildlife on public land in the State.

17 (2) MANAGEMENT ACTIVITIES.—In furtherance
18 of the purposes and principles of the Wilderness Act
19 (16 U.S.C. 1131 et seq.), the Secretary may conduct
20 any management activities that are necessary to
21 maintain or restore fish and wildlife populations and
22 habitats in the wilderness areas, if the management
23 activities are—

24 (A) consistent with relevant wilderness
25 management plans;

1 (B) conducted in accordance with appro-
2 priate policies, such as the policies established
3 in Appendix B of House Report 101-405; and

4 (C) in accordance with memoranda of un-
5 derstanding between the Federal agencies and
6 the State Department of Fish and Wildlife.

7 (e) BUFFER ZONES.—

8 (1) IN GENERAL.—Congress does not intend for
9 the designation of wilderness areas by this Act to
10 lead to the creation of protective perimeters or buff-
11 er zones around each wilderness area.

12 (2) ACTIVITIES OR USES UP TO BOUNDARIES.—

13 The fact that nonwilderness activities or uses can be
14 seen or heard from within a wilderness area shall
15 not, of itself, preclude the activities or uses up to the
16 boundary of the wilderness area.

17 (f) MILITARY ACTIVITIES.—Nothing in this Act pre-
18 cludes—

19 (1) low-level overflights of military aircraft over
20 the wilderness areas;

21 (2) the designation of new units of special air-
22 space over the wilderness areas; or

23 (3) the use or establishment of military flight
24 training routes over wilderness areas.

1 (g) HORSES.—Nothing in this Act precludes horse-
2 back riding in, or the entry of recreational saddle or pack
3 stock into, a wilderness area—

4 (1) in accordance with section 4(d)(5) of the
5 Wilderness Act (16 U.S.C. 1133(d)(5)); and

6 (2) subject to any terms and conditions deter-
7 mined to be necessary by the Secretary.

8 (h) WITHDRAWAL.—Subject to valid existing rights,
9 the wilderness areas are withdrawn from—

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

12 (2) location, entry, and patent under the mining
13 laws; and

14 (3) disposition under all laws pertaining to min-
15 eral and geothermal leasing or mineral materials.

16 (i) INCORPORATION OF ACQUIRED LAND AND INTER-
17 ESTS.—Any land within the boundary of a wilderness area
18 that is acquired by the United States shall—

19 (1) become part of the wilderness area in which
20 the land is located; and

21 (2) be managed in accordance with—

22 (A) this section;

23 (B) the Wilderness Act (16 U.S.C. 1131 et
24 seq.); and

25 (C) any other applicable law.

1 (j) TREATMENT OF EXISTING WATER DIVERSIONS IN
2 THE SAN RAFAEL WILDERNESS ADDITIONS.—

3 (1) AUTHORIZATION FOR CONTINUED USE.—

4 The Secretary of Agriculture may issue a special use
5 authorization to the owners of the 2 existing water
6 transport or diversion facilities, including adminis-
7 trative access roads (in this subsection referred to as
8 a “facility”), located on National Forest System
9 land in the San Rafael Wilderness Additions in the
10 Moon Canyon unit (T. 11 N., R. 30 W., secs. 13
11 and 14) and the Peak Mountain unit (T. 10 N., R.
12 28 W., secs. 23 and 26) for the continued operation,
13 maintenance, and reconstruction of the facility if the
14 Secretary determines that—

15 (A) the facility was in existence on the
16 date on which the land on which the facility is
17 located was designated as part of the National
18 Wilderness Preservation System (in this sub-
19 section referred to as “the date of designa-
20 tion”);

21 (B) the facility has been in substantially
22 continuous use to deliver water for the bene-
23 ficial use on the non-Federal land of the owner
24 since the date of designation;

1 (C) the owner of the facility holds a valid
2 water right for use of the water on the non-
3 Federal land of the owner under State law, with
4 a priority date that predates the date of des-
5 ignation; and

6 (D) it is not practicable or feasible to relo-
7 cate the facility to land outside of the wilder-
8 ness and continue the beneficial use of water on
9 the non-Federal land recognized under State
10 law.

11 (2) TERMS AND CONDITIONS.—

12 (A) REQUIRED TERMS AND CONDITIONS.—

13 In a special use authorization issued under
14 paragraph (1), the Secretary may—

15 (i) allow use of motorized equipment
16 and mechanized transport for operation,
17 maintenance, or reconstruction of a facil-
18 ity, if the Secretary determines that—

19 (I) the use is the minimum nec-
20 essary to allow the facility to continue
21 delivery of water to the non-Federal
22 land for the beneficial uses recognized
23 by the water right held under State
24 law; and

1 (II) the use of non-motorized
2 equipment and non-mechanized trans-
3 port is impracticable or infeasible; and
4 (ii) preclude use of the facility for the
5 diversion or transport of water in excess of
6 the water right recognized by the State on
7 the date of designation.

8 (B) DISCRETIONARY TERMS AND CONDI-
9 TIONS.—In a special use authorization issued
10 under paragraph (1), the Secretary may require
11 or allow modification or relocation of the facility
12 in the wilderness, as the Secretary determines
13 necessary, to reduce impacts to wilderness val-
14 ues set forth in section 2 of the Wilderness Act
15 (16 U.S.C. 1131) if the beneficial use of water
16 on the non-Federal land is not diminished.

17 (k) TREATMENT OF EXISTING ELECTRICAL DIS-
18 TRIBUTION LINE IN THE SAN RAFAEL WILDERNESS AD-
19 DITIONS.—

20 (1) AUTHORIZATION FOR CONTINUED USE.—
21 The Secretary of Agriculture may issue a special use
22 authorization to the owners of the existing electrical
23 distribution line to the Plowshare Peak communica-
24 tion site (in this subsection referred to as a “facil-
25 ity”) located on National Forest System land in the

1 San Rafael Wilderness Additions in the Moon Can-
2 yon unit (T. 11 N., R. 30 W., secs. 2, 3 and 4) for
3 the continued operation, maintenance, and recon-
4 struction of the facility if the Secretary determines
5 that—

6 (A) the facility was in existence on the
7 date on which the land on which the facility is
8 located was designated as part of the National
9 Wilderness Preservation System (in this sub-
10 section referred to as “the date of designa-
11 tion”);

12 (B) the facility has been in substantially
13 continuous use to deliver electricity to the com-
14 munication site; and

15 (C) it is not practicable or feasible to relo-
16 cate the distribution line to land outside of the
17 wilderness.

18 (2) TERMS AND CONDITIONS.—

19 (A) REQUIRED TERMS AND CONDITIONS.—

20 In a special use authorization issued under
21 paragraph (1), the Secretary may allow use of
22 motorized equipment and mechanized transport
23 for operation, maintenance, or reconstruction of
24 the electrical distribution line, if the Secretary
25 determines that the use of non-motorized equip-

1 ment and non-mechanized transport is impracti-
2 cable or infeasible.

3 (B) DISCRETIONARY TERMS AND CONDI-
4 TIONS.—In a special use authorization issued
5 under paragraph (1), the Secretary may require
6 or allow modification or relocation of the facility
7 in the wilderness, as the Secretary determines
8 necessary, to reduce impacts to wilderness val-
9 ues set forth in section 2 of the Wilderness Act
10 (16 U.S.C. 1131).

11 (l) CLIMATOLOGICAL DATA COLLECTION.—In ac-
12 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.)
13 and subject to terms and conditions as the Secretary may
14 prescribe, the Secretary may authorize the installation and
15 maintenance of hydrologic, meteorologic, or climatological
16 collection devices in the wilderness areas if the Secretary
17 determines that the facilities and access to the facilities
18 are essential to flood warning, flood control, or water res-
19 ervoir operation activities.

20 **SEC. 6. DESIGNATION OF WILD AND SCENIC RIVERS.**

21 (a) INDIAN CREEK, MONO CREEK, AND MATILIJA
22 CREEK, CALIFORNIA.—Section 3(a) of the Wild and Sce-
23 nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding
24 at the end the following:

1 “(213) INDIAN CREEK, CALIFORNIA.—The fol-
2 lowing segments of Indian Creek in the State of
3 California, to be administered by the Secretary of
4 Agriculture:

5 “(A) The 9.5-mile segment of Indian Creek
6 from its source in sec. 19, T. 7 N., R. 26 W.,
7 to the Dick Smith Wilderness boundary, as a
8 wild river.

9 “(B) The 1-mile segment of Indian Creek
10 from the Dick Smith Wilderness boundary to
11 0.25 miles downstream of Road 6N24, as a see-
12 nic river.

13 “(C) The 3.9-mile segment of Indian Creek
14 from 0.25 miles downstream of Road 6N24 to
15 the southern boundary of sec. 32, T. 6 N., R.
16 26 W., as a wild river.

17 “(214) MONO CREEK, CALIFORNIA.—The fol-
18 lowing segments of Mono Creek in the State of Cali-
19 fornia, to be administered by the Secretary of Agri-
20 culture:

21 “(A) The 4.2-mile segment of Mono Creek
22 from its source in sec. 1, T. 7 N., R. 26 W.,
23 to 0.25 miles upstream of Don Victor Fire
24 Road in sec. 28, T. 7 N., R. 25 W., as a wild
25 river.

1 “(B) The 2.1-mile segment of Mono Creek
2 from 0.25 miles upstream of the Don Victor
3 Fire Road in sec. 28, T. 7 N., R. 25 W., to
4 0.25 miles downstream of Don Victor Fire
5 Road in sec. 34, T7N, R25W, as a recreational
6 river.

7 “(C) The 14.7-mile segment of Mono
8 Creek from 0.25 miles downstream of Don Vic-
9 tor Fire Road in sec. 34, T. 7 N., R. 25 W.,
10 to the Ogilvy Ranch private property boundary
11 in sec. 22, R. 26 W., T. 6 N., as a wild river.

12 “(D) The 3.5-mile segment of Mono Creek
13 from the Ogilvy Ranch private property bound-
14 ary to the southern boundary of sec. 33, T. 6
15 N., R. 26 N., as a recreational river.

16 “(215) MATILIJA CREEK, CALIFORNIA.—The
17 following segments of Matilija Creek in the State of
18 California, to be administered by the Secretary of
19 Agriculture:

20 “(A) The 7.2-mile segment of the Matilija
21 Creek from its source in sec. 25, T. 6 N., R.
22 25 W., to the private property boundary in sec.
23 9, T. 5 N., R. 24 W., as a wild river.

24 “(B) The 7.25-mile segment of the Upper
25 North Fork Matilija Creek from its source in

1 sec. 36, T. 6 N., R. 24 W., to the Matilija Wil-
2 derness boundary, as a wild river.”.

3 (b) SESPE CREEK, CALIFORNIA.—Section 3(a) of the
4 Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amend-
5 ed by striking paragraph (142) and inserting the fol-
6 lowing:

7 “(142) SESPE CREEK, CALIFORNIA.—The fol-
8 lowing segments of Sespe Creek in the State of Cali-
9 fornia, to be administered by the Secretary of Agri-
10 culture:

11 “(A) The 2.7-mile segment of Sespe Creek
12 from the private property boundary in sec. 10,
13 T. 6 N., R. 24 W., to the Hartman Ranch pri-
14 vate property boundary in sec. 14, T. 6 N., R.
15 24 W., as a wild river.

16 “(B) The 15-mile segment of Sespe Creek
17 from the Hartman Ranch private property
18 boundary in sec. 14, T. 6 N., R. 24 W., to the
19 western boundary of sec. 6, T. 5 N., R. 22 W.,
20 as a recreational river.

21 “(C) The 6.1-mile segment of Sespe Creek
22 from the western boundary of sec. 6, T. 5 N.,
23 R. 22 W., to the confluence with Trout Creek,
24 as a scenic river.

1 “(D) The 28.6-mile segment of Sespe
2 Creek from the confluence with Trout Creek to
3 the southern boundary of sec. 35, T. 5 N., R.
4 20 W., as a wild river.”.

5 (c) SISQUOC RIVER, CALIFORNIA.—Section 3(a) of
6 the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is
7 amended by striking paragraph (143) and inserting the
8 following:

9 “(143) SISQUOC RIVER, CALIFORNIA.—The fol-
10 lowing segments of the Sisquoc River and its tribu-
11 taries in the State of California, to be administered
12 by the Secretary of Agriculture:

13 “(A) The 33-mile segment of the main
14 stem of the Sisquoc River extending from its
15 origin downstream to the Los Padres Forest
16 boundary, as a wild river.

17 “(B) The 4.2-mile segment of the South
18 Fork Sisquoc River from its source northeast of
19 San Rafael Mountain in sec. 2, T. 7 N., R. 28
20 W., to its confluence with the Sisquoc River, as
21 a wild river.

22 “(C) The 10.4-mile segment of Manzana
23 Creek from its source west of San Rafael Peak
24 in sec. 4, T. 7 N., R. 28 W., to the San Rafael

1 Wilderness boundary upstream of Nira Camp-
2 ground, as a wild river.

3 “(D) The 0.6-mile segment of Manzana
4 Creek from the San Rafael Wilderness bound-
5 ary upstream of the Nira Campground to the
6 San Rafael Wilderness boundary downstream of
7 the confluence of Davy Brown Creek, as a rec-
8 reational river.

9 “(E) The 5.8-mile segment of Manzana
10 Creek from the San Rafael Wilderness bound-
11 ary downstream of the confluence of Davy
12 Brown Creek to the private property boundary
13 in sec. 1, T. 8 N., R. 30 W., as a wild river.

14 “(F) The 3.8-mile segment of Manzana
15 Creek from the private property boundary in
16 sec. 1, T. 8 N., R. 30 W., to the confluence of
17 the Sisquoc River, as a recreational river.

18 “(G) The 3.4-mile segment of Davy Brown
19 Creek from its source west of Ranger Peak in
20 sec. 32, T. 8 N., R. 29 W., to 300 feet up-
21 stream of its confluence with Munch Canyon, as
22 a wild river.

23 “(H) The 1.4-mile segment of Davy Brown
24 Creek from 300 feet upstream of its confluence

1 with Munch Canyon to its confluence with
2 Manzana Creek, as a recreational river.

3 “(I) The 2-mile segment of Munch Canyon
4 from its source north of Ranger Peak in sec.
5 33, T. 8 N., R. 29 W., to 300 feet upstream
6 of its confluence with Sunset Valley Creek, as
7 a wild river.

8 “(J) The 0.5-mile segment of Munch Can-
9 yon from 300 feet upstream of its confluence
10 with Sunset Valley Creek to its confluence with
11 Davy Brown Creek, as a recreational river.

12 “(K) The 2.6-mile segment of Fish Creek
13 from 500 feet downstream of Sunset Valley
14 Road to its confluence with Manzana Creek, as
15 a wild river.

16 “(L) The 1.5-mile segment of East Fork
17 Fish Creek from its source in sec. 26, T. 8 N.,
18 R. 29 W., to its confluence with Fish Creek, as
19 a wild river.”.

20 (d) PIRU CREEK, CALIFORNIA.—Section 3(a) of the
21 Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amend-
22 ed by striking paragraph (199) and inserting the fol-
23 lowing:

24 “(199) PIRU CREEK, CALIFORNIA.—The fol-
25 lowing segments of Piru Creek in the State of Cali-

1 fornia, to be administered by the Secretary of Agri-
2 culture:

3 “(A) The 9.1-mile segment of Piru Creek
4 from its source in sec. 3, T. 6 N., R. 22 W.,
5 to the private property boundary in sec. 4, T.
6 6 N., R. 21 W., as a wild river.

7 “(B) The 17.2-mile segment of Piru Creek
8 from the private property boundary in sec. 4, T.
9 6 N., R. 21 W., to 0.25 miles downstream of
10 the Gold Hill Road, as a scenic river.

11 “(C) The 4.1-mile segment of Piru Creek
12 from 0.25 miles downstream of Gold Hill Road
13 to the confluence with Trail Canyon, as a wild
14 river.

15 “(D) The 7.25-mile segment of Piru Creek
16 from the confluence with Trail Canyon to the
17 confluence with Buck Creek, as a scenic river.

18 “(E) The 3-mile segment of Piru Creek
19 from 0.5 miles downstream of Pyramid Dam at
20 the first bridge crossing to the boundary of the
21 Sespe Wilderness, as a recreational river.

22 “(F) The 13-mile segment of Piru Creek
23 from the boundary of the Sespe Wilderness to
24 the boundary of the Sespe Wilderness, as a wild
25 river.

1 “(G) The 2.2-mile segment of Piru Creek
2 from the boundary of the Sespe Wilderness to
3 the upper limit of Piru Reservoir, as a rec-
4 reational river.”.

5 (e) EFFECT.—The designation of additional miles of
6 Piru Creek under subsection (d) shall not affect valid
7 water rights in existence on the date of enactment of this
8 Act.

9 (f) MOTORIZED USE OF TRAILS.—Nothing in this
10 section (including the amendments made by this section)
11 affects the motorized use of trails designated by the Forest
12 Service for motorized use that are located adjacent to and
13 crossing upper Piru Creek, if the use is consistent with
14 the protection and enhancement of river values under the
15 Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

16 **SEC. 7. DESIGNATION OF THE FOX MOUNTAIN POTENTIAL**
17 **WILDERNESS.**

18 (a) DESIGNATION.—In furtherance of the purposes of
19 the Wilderness Act (16 U.S.C. 1131 et seq.), certain land
20 in the Los Padres National Forest comprising approxi-
21 mately 41,837 acres, as generally depicted on the map en-
22 titled “Fox Mountain Potential Wilderness Area” and
23 dated October 4, 2017, is designated as the Fox Mountain
24 Potential Wilderness Area.

25 (b) MAP AND LEGAL DESCRIPTION.—

1 (1) IN GENERAL.—As soon as practicable after
2 the date of enactment of this Act, the Secretary of
3 Agriculture shall file a map and a legal description
4 of the Fox Mountain Potential Wilderness Area (re-
5 ferred to in this section as the “potential wilderness
6 area”) with—

7 (A) the Committee on Energy and Natural
8 Resources of the Senate; and

9 (B) the Committee on Natural Resources
10 of the House of Representatives.

11 (2) FORCE OF LAW.—The map and legal de-
12 scription filed under paragraph (1) shall have the
13 same force and effect as if included in this Act, ex-
14 cept that the Secretary of Agriculture may correct
15 any clerical and typographical errors in the map and
16 legal description.

17 (3) PUBLIC AVAILABILITY.—The map and legal
18 description filed under paragraph (1) shall be on file
19 and available for public inspection in the appropriate
20 offices of the Forest Service.

21 (c) MANAGEMENT.—Except as provided in subsection
22 (d) and subject to valid existing rights, the Secretary shall
23 manage the potential wilderness area in accordance with
24 the Wilderness Act (16 U.S.C. 1131 et seq.).

1 (d) TRAIL USE CONSTRUCTION, RECONSTRUCTION,
2 AND REALIGNMENT.—

3 (1) IN GENERAL.—In accordance with para-
4 graph (2), the Secretary of Agriculture may—

5 (A) construct a new trail for use by hikers,
6 equestrians, and mechanized vehicles that con-
7 nects the Aliso Park Campground to the Bull
8 Ridge Trail; and

9 (B) reconstruct or realign—

10 (i) the Bull Ridge Trail; and

11 (ii) the Rocky Ridge Trail.

12 (2) REQUIREMENT.—In carrying out the con-
13 struction, reconstruction, or alignment under para-
14 graph (1), the Secretary shall—

15 (A) comply with all existing laws (including
16 regulations); and

17 (B) to the maximum extent practicable,
18 use the minimum tool or administrative practice
19 necessary to accomplish the construction, recon-
20 struction, or alignment with the least amount of
21 adverse impact on wilderness character and re-
22 sources.

23 (3) MOTORIZED VEHICLES AND MACHINERY.—

24 In accordance with paragraph (2), the Secretary
25 may use motorized vehicles and machinery to carry

1 out the trail construction, reconstruction, or realign-
2 ment authorized by this subsection.

3 (4) MECHANIZED VEHICLES.—The Secretary
4 may permit the use of mechanized vehicles on the
5 existing Bull Ridge Trail and Rocky Ridge Trail in
6 accordance with existing law (including regulations)
7 and this subsection until such date as the potential
8 wilderness area is designated as wilderness in ac-
9 cordance with subsection (h).

10 (e) WITHDRAWAL.—Subject to valid existing rights,
11 the Federal land in the potential wilderness area is with-
12 drawn from all forms of—

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

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

17 (3) disposition under all laws pertaining to min-
18 eral and geothermal leasing or mineral materials.

19 (f) COOPERATIVE AGREEMENTS.—In carrying out
20 this section, the Secretary may enter into cooperative
21 agreements with State, Tribal, and local governmental en-
22 tities and private entities to complete the trail construc-
23 tion, reconstruction, and realignment authorized by sub-
24 section (d).

1 (g) BOUNDARIES.—The Secretary shall modify the
2 boundary of the potential wilderness area to exclude any
3 area within 50 feet of the centerline of the new location
4 of any trail that has been constructed, reconstructed, or
5 realigned under subsection (d).

6 (h) WILDERNESS DESIGNATION.—

7 (1) IN GENERAL.—The potential wilderness
8 area, as modified under subsection (g), shall be des-
9 ignated as wilderness and as a component of the Na-
10 tional Wilderness Preservation System on the earlier
11 of—

12 (A) the date on which the Secretary pub-
13 lishes in the Federal Register notice that the
14 trail construction, reconstruction, or alignment
15 authorized by subsection (d) has been com-
16 pleted; and

17 (B) the date that is 20 years after the date
18 of enactment of this Act.

19 (2) ADMINISTRATION OF WILDERNESS.—On
20 designation as wilderness under this section, the po-
21 tential wilderness area shall be—

22 (A) incorporated into the San Rafael Wil-
23 derness, as designated by Public Law 90–271
24 (82 Stat. 51), the California Wilderness Act of
25 1984 (Public Law 98–425; 16 U.S.C. 1132

1 note), and the Los Padres Condor Range and
2 River Protection Act (Public Law 102–301; 106
3 Stat. 242), and section 3; and

4 (B) administered in accordance with sec-
5 tion 5 and the Wilderness Act (16 U.S.C. 1131
6 et seq.).

7 **SEC. 8. DESIGNATION OF SCENIC AREAS.**

8 (a) IN GENERAL.—Subject to valid existing rights,
9 there are established the following scenic areas:

10 (1) CONDOR RIDGE SCENIC AREA.—Certain
11 land in the Los Padres National Forest comprising
12 approximately 18,666 acres, as generally depicted on
13 the map entitled “Condor Ridge Scenic Area—Pro-
14 posed” and dated October 4, 2017, which shall be
15 known as the “Condor Ridge Scenic Area”.

16 (2) BLACK MOUNTAIN SCENIC AREA.—Certain
17 land in the Los Padres National Forest and the Ba-
18 kersfield Field Office of the Bureau of Land Man-
19 agement comprising approximately 16,216 acres, as
20 generally depicted on the map entitled “Black Moun-
21 tain Scenic Area—Proposed” and dated October 4,
22 2017, which shall be known as the “Black Mountain
23 Scenic Area”.

24 (b) MAPS AND LEGAL DESCRIPTIONS.—

1 (1) IN GENERAL.—As soon as practicable after
2 the date of enactment of this Act, the Secretary of
3 Agriculture shall file a map and legal description of
4 the Condor Ridge Scenic Area and Black Mountain
5 Scenic Area with—

6 (A) the Committee on Energy and Natural
7 Resources of the Senate; and

8 (B) the Committee on Natural Resources
9 of the House of Representatives.

10 (2) FORCE OF LAW.—The maps and legal de-
11 scriptions filed under paragraph (1) shall have the
12 same force and effect as if included in this Act, ex-
13 cept that the Secretary of Agriculture may correct
14 any clerical and typographical errors in the maps
15 and legal descriptions.

16 (3) PUBLIC AVAILABILITY.—The maps and
17 legal descriptions filed under paragraph (1) shall be
18 on file and available for public inspection in the ap-
19 propriate offices of the Forest Service and Bureau
20 of Land Management.

21 (c) PURPOSE.—The purpose of the scenic areas is to
22 conserve, protect, and enhance for the benefit and enjoy-
23 ment of present and future generations the ecological, see-
24 nic, wildlife, recreational, cultural, historical, natural, edu-
25 cational, and scientific resources of the scenic areas.

1 (d) MANAGEMENT.—

2 (1) IN GENERAL.—The Secretary shall admin-
3 ister the scenic areas—

4 (A) in a manner that conserves, protects,
5 and enhances the resources of the scenic areas,
6 and in particular the scenic character attributes
7 of the scenic areas; and

8 (B) in accordance with—

9 (i) this section;

10 (ii) the Federal Land Policy and Man-
11 agement Act (43 U.S.C. 1701 et seq.) for
12 land under the jurisdiction of the Secretary
13 of the Interior;

14 (iii) any laws (including regulations)
15 relating to the National Forest System, for
16 land under the jurisdiction of the Secretary
17 of Agriculture; and

18 (iv) any other applicable law (includ-
19 ing regulations).

20 (2) USES.—The Secretary shall only allow those
21 uses of the scenic areas that the Secretary deter-
22 mines would further the purposes described in sub-
23 section (c).

1 (e) WITHDRAWAL.—Subject to valid existing rights,
2 the Federal land in the scenic areas is withdrawn from
3 all forms of—

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

6 (2) location, entry, and patent under the mining
7 laws; and

8 (3) disposition under all laws pertaining to min-
9 eral and geothermal leasing or mineral materials.

10 (f) PROHIBITED USES.—The following shall be pro-
11 hibited on the Federal land within the scenic areas:

12 (1) Permanent roads.

13 (2) Permanent structures.

14 (3) Timber harvesting except when necessary
15 for the purposes described in subsection (g).

16 (4) Transmission lines.

17 (5) Except as necessary to meet the minimum
18 requirements for the administration of the scenic
19 areas and to protect public health and safety—

20 (A) the use of motorized vehicles; or

21 (B) the establishment of temporary roads.

22 (6) Commercial enterprises, except as necessary
23 for realizing the purposes of the scenic areas.

24 (g) WILDFIRE, INSECT, AND DISEASE MANAGE-
25 MENT.—Consistent with this section, the Secretary may

1 take any measures in the scenic areas that the Secretary
2 determines to be necessary to control fire, insects, and dis-
3 eases, including, as the Secretary determines to be appro-
4 priate, the coordination of those activities with the State
5 or a local agency.

6 (h) ADJACENT MANAGEMENT.—The fact that an oth-
7 erwise authorized activity or use can be seen or heard
8 within a scenic area shall not preclude the activity or use
9 outside the boundary of the scenic area.

10 **SEC. 9. CONDOR NATIONAL RECREATION TRAIL.**

11 (a) FINDINGS.—Congress finds that—

12 (1) the Condor National Recreation Trail is
13 named after the California Condor, a critically en-
14 dangered bird species which lives along the extent of
15 the Condor National Recreation Trail within the Los
16 Padres National Forest; and

17 (2) the Condor National Recreation Trail will
18 traverse a diversity of geography and communities
19 through the southern and northern sections of the
20 Los Padres National Forest.

21 (b) PURPOSE.—The purpose of the Condor National
22 Recreation Trail is to provide a continual hiking trail cor-
23 ridor spanning the entire length of the Los Padres Na-
24 tional Forest along the coastal mountains of Central Cali-
25 fornia.

1 (c) AMENDMENT.—Section 5(a) of the National
2 Trails System Act (16 U.S.C. 1244(a)) is amended by
3 adding at the end the following:

4 “(31) CONDOR NATIONAL RECREATION
5 TRAIL.—

6 “(A) IN GENERAL.—After completion of
7 the study under subparagraph (E), the Sec-
8 retary shall designate the Condor National
9 Recreation Trail, extending from Lake Piru to
10 the Botchers Gap Campground in the Monterey
11 County corridor.

12 “(B) ADMINISTRATION.—The Condor Na-
13 tional Recreation Trail (referred to in this para-
14 graph as the ‘trail’) shall be administered by
15 the Secretary of Agriculture, in consultation
16 with—

17 “(i) other Federal, State, Tribal, re-
18 gional, and local agencies;

19 “(ii) private landowners; and

20 “(iii) other interested organizations.

21 “(C) CONTINUAL ROUTE.—In building new
22 connectors, and realigning existing trails, the
23 Secretary shall—

1 “(i) provide for a continual route
2 through the southern and northern Los
3 Padres National Forest;

4 “(ii) promote recreational, scenic, wil-
5 derness and cultural values;

6 “(iii) enhance connectivity with the
7 overall National Forest trail system;

8 “(iv) emphasize safe and continuous
9 public access, dispersal from high-use
10 areas, and suitable water sources; and

11 “(v) to the extent practicable, provide
12 all-year use.

13 “(D) PRIVATE PROPERTY RIGHTS.—

14 “(i) IN GENERAL.—No portions of the
15 trail may be located on non-Federal land
16 without the written consent of the land-
17 owner and without obtaining a permanent
18 easement or right-of-way.

19 “(ii) PROHIBITION.—The Secretary
20 shall not acquire for the trail any land or
21 interest in land outside the exterior bound-
22 ary of any federally managed area without
23 the consent of the owner of land or interest
24 in land.

1 “(iii) EFFECT.—Nothing in this para-
2 graph—

3 “(I) requires any private prop-
4 erty owner to allow public access (in-
5 cluding Federal, State, or local gov-
6 ernment access) to private property;
7 or

8 “(II) modifies any provision of
9 Federal, State, or local law with re-
10 spect to public access to or use of pri-
11 vate land.

12 “(E) STUDY.—

13 “(i) STUDY REQUIRED.—Not later
14 than 6 years after the date of enactment
15 of this paragraph, the Secretary of Agri-
16 culture shall submit a study, including a
17 detailed map, that describes the entire
18 route addresses the feasibility of, and al-
19 ternatives for, connecting the northern and
20 southern portions of the Los Padres Na-
21 tional Forest using a trail corridor across
22 the applicable portions of the Northern
23 and Southern Santa Lucia Mountains of
24 the Southern California Coastal Range
25 to—

1 “(I) the Committee on Energy
2 and Natural Resources of the Senate;
3 and

4 “(II) the Committee on Natural
5 Resources of the House of Represent-
6 atives.

7 “(ii) ADDITIONAL REQUIREMENT.—In
8 completing the study required by clause
9 (i), the Secretary of Agriculture shall con-
10 sult with—

11 “(I) appropriate Federal, State,
12 Tribal, regional, and local agencies;

13 “(II) private landowners;

14 “(III) nongovernmental organiza-
15 tions; and

16 “(IV) members of the public.”.

17 “(F) MAP.—The map referred to in sub-
18 paragraph (E)(i) shall be on file and available
19 for public inspection in the appropriate offices
20 of the Forest Service.”.

21 (d) COOPERATIVE AGREEMENTS.—In carrying out
22 this section (including the amendments made by this sec-
23 tion), the Secretary of Agriculture may enter into coopera-
24 tive agreements with State, Tribal, and local government
25 entitles and private entities to complete needed trail con-

1 struction, reconstruction, and realignment projects au-
2 thorized by this section (including the amendments made
3 by this section).

4 **SEC. 10. FOREST SERVICE STUDY.**

5 Not later than 6 years after the date of enactment
6 of this Act, the Secretary of Agriculture (acting through
7 the Chief of the Forest Service) shall study the feasibility
8 of opening a new trail, for vehicles measuring 50 inches
9 or less, connecting Forest Service Highway 95 to the exist-
10 ing off-highway vehicle trail system in the Ballinger Can-
11 yon off-highway vehicle area.

12 **SEC. 11. NONMOTORIZED RECREATION OPPORTUNITIES.**

13 Not later than 6 years after the date of enactment
14 of this Act, the Secretary of Agriculture, in consultation
15 with interested parties, shall conduct a study to improve
16 nonmotorized recreation trail opportunities (including
17 mountain bicycling) on land not designated as wilderness
18 within the Santa Barbara, Ojai, and Mt. Pinos ranger dis-
19 tricts.

20 **SEC. 12. USE BY MEMBERS OF TRIBES.**

21 (a) ACCESS.—The Secretary shall ensure that Tribes
22 have access, in accordance with the Wilderness Act (16
23 U.S.C. 1131 et seq.), to the wilderness areas, scenic areas,
24 and potential wilderness areas designated by this Act for
25 traditional cultural and religious purposes.

1 (b) TEMPORARY CLOSURES.—

2 (1) IN GENERAL.—In carrying out this section,
3 the Secretary, on request of a Tribe, may tempo-
4 rarily close to the general public one or more specific
5 portions of a wilderness area, scenic area, or poten-
6 tial wilderness area designated by this Act to protect
7 the privacy of the members of the Tribe in the con-
8 duct of traditional cultural and religious activities.

9 (2) REQUIREMENT.—Any closure under para-
10 graph (1) shall be—

11 (A) made in such a manner as to affect
12 the smallest practicable area for the minimum
13 period of time necessary for the activity to be
14 carried out; and

15 (B) be consistent with the purpose and in-
16 tent of Public Law 95–341 (commonly known
17 as the American Indian Religious Freedom Act)
18 (42 U.S.C. 1996) and the Wilderness Act (16
19 U.S.C. 1131 et seq.).

○