



**OHMVR COMMISSION MEETING**  
**Tracy, CA 95376**

**February 5, 2016**

**STAFF REPORT:** Legislative Update  
**STAFF:** Tina Williams, OHMVR State Park Superintendent  
**SUBJECT:** February 2016 California and Federal Legislation Summary Report

---

**Summary**

This report provides summary excerpts and status of bills that may affect the Off-Highway Motor Vehicle Recreation (OHMVR) Program. Information contained in this report is accurate as of January 12, 2016.

**Discussion**

**2015 - 2016 CALIFORNIA LEGISLATION UPDATE**

Nothing to report.

**2015 - 2016 114th US CONGRESS FEDERAL LEGISLATION UPDATE**

**S. 414 (Feinstein): California Desert Conservation and Recreation Act of 2015**

**Summary:** This bill is an attempt to achieve consensus on the various uses of desert land. It 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 to complete several studies which would include stakeholders, state and local government's input. For a complete listing of this legislation, please see the attached bill.

*The bill's key off-highway vehicle provisions:*

Designate five existing BLM Off-Highway Vehicle areas (covering approximately 143,000 acres of California desert) as permanent Off-Highway Vehicle (OHV) recreation areas, providing off-highway enthusiasts certainty that these uses of the desert will be protected in a manner similar to conservation areas. (Details contained in Title XVIII, Off-Highway Highway Recreation Areas located on pages 86-100 of the Act.)

**Latest Major Action:** 10/08/15 – Committee on Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining. Hearings held.

---

### **S. 1040 (Heller) Off-Highway Consumer Product Safety Commission and the National Academy of Sciences Study**

**Summary:** This bill would direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study, and for other purposes.

**Latest Major Action:** 5/20/15 – Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.

---

### **HR 792 (Griffith): No Net Increase in Lands. “Acre In, Acre Out Act.”**

**Summary:** This bill would provide for no net increase in the total acreage of certain federal land under the jurisdiction of the BLM, the National Park Service, the United States Fish and Wildlife Service, or the Forest Service, and for other purposes.

**Latest Major Action:** 3/16/15 – Referred to the House Natural Resources Subcommittee on Federal Lands.

---

### **HR 999 (Pompeo): The ROV In-Depth Examination Act**

**Summary:** The Consumer Product Safety Commission shall have no authority to: (1) establish recreational off-highway vehicle (ROV) performance or configuration standards until the study required by this Act is completed, or (2) require ROV manufacturers to provide performance and technical data to prospective purchasers and to the first purchaser of an ROV for purposes other than resale.

The Commission shall contract with the National Academy of Sciences to determine:

- the technical validity of the lateral stability and vehicle handling requirements proposed by the Commission for purposes of reducing the risk of ROV off-road rollovers,
- the number of ROV rollovers that would be prevented if the proposed requirements were adopted,
- whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a vehicle's rollover resistance on a progressive scale, and
- the effect on the utility of ROVs used by the Armed Forces if the proposed requirements were adopted

**Latest Major Action:** 2/20/15 – Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

---

## **HR 1838 (Farr): Clear Creek National Recreation Area and Conservation Act**

**Summary:** This bill would establish the Clear Creek National Recreation Area (CCNRA) in Fresno and San Benito Counties and designates a new Joaquin Rocks Wilderness to be managed by the Bureau of Land Management (BLM). This legislation would direct the BLM to develop a map and legal description of the CCNRA and manage the CCNRA to prioritize environmentally responsible off-highway vehicle (OHV) recreation and also facilitate access to hunting, hiking, and rock hounding. This bill would serve to reopen the Clear Creek Management Area (CCMA) which has been closed to OHV recreation since 2008. This legislation also designates several creek segments as Wild and Scenic Rivers, totaling approximately 30 miles of creek segments in the vicinity of the CCMA.

**Latest Major Action:** 12/9/15 – Referred to the House Subcommittee on Federal Lands.

---

## **HR 3668 (Cook) California Minerals, Off-Road Recreation, and Conservation Act**

**Summary:** This bill would expand certain off-highway vehicle recreation areas in the State of California and designate as wilderness certain public lands in the State of California, administered by the Bureau of Land Management; would expand the Death Valley National Park Wilderness and the San Gorgonio Wilderness in San Bernardino National Forest; and would also ensure the conservation and necessary management of wildlife in these wilderness areas, and to establish the Mojave Trails Special Management Area in the State, and for other purposes.

*The bill's key off-highway vehicle provisions:*

Designate six National Off-Highway Vehicle Recreation Areas including Spangler Hills, El Mirage, Stoddard Valley, Razor, 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).

**Latest Major Action:** 12/09/15 – Hearing: House Natural Resources Subcommittee on Federal Lands.

---

### **Commission Action**

For information only

### **Attachments**

S 414 – pages 86-100  
S 1040  
HR 792  
HR 999  
HR 1838  
HR 3668

1 **“SEC. 1704. AUTHORIZATION OF APPROPRIATIONS.**

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

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

6 **“SEC. 1801. DESIGNATION OF OFF-HIGHWAY VEHICLE**  
7 **RECREATION AREAS.**

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

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

23 “(2) EL MIRAGE OFF-HIGHWAY VEHICLE  
24 RECREATION AREA.—Certain Bureau of Land Man-  
25 agement land in the Conservation Area, comprising  
26 approximately 14,930 acres, as generally depicted on

1 the map entitled 'El Mirage Proposed National OHV  
2 Recreation Area' and dated July 15, 2009, which  
3 shall be known as the 'El Mirage Off-Highway Vehi-  
4 cle Recreation Area'.

5 “(3) RASOR OFF-HIGHWAY VEHICLE RECRE-  
6 ATION AREA.—Certain Bureau of Land Management  
7 land in the Conservation Area, comprising approxi-  
8 mately 23,910 acres, as generally depicted on the  
9 map entitled 'Rasor Proposed National OHV Recre-  
10 ation Area' and dated July 15, 2009, which shall be  
11 known as the 'Rasor Off-Highway Vehicle Recre-  
12 ation Area'.

13 “(4) SPANGLER HILLS OFF-HIGHWAY VEHICLE  
14 RECREATION AREA.—Certain Bureau of Land Man-  
15 agement land in the Conservation Area, comprising  
16 approximately 56,140 acres, as generally depicted on  
17 the map entitled 'Spangler Hills Proposed National  
18 OHV Recreation Area' and dated July 16, 2009,  
19 which shall be known as the 'Spangler Off-Highway  
20 Vehicle Recreation Area'.

21 “(5) STODDARD VALLEY OFF-HIGHWAY VEHI-  
22 CLE RECREATION AREA.—Certain Bureau of Land  
23 Management land in the Conservation Area, com-  
24 prising approximately 40,110 acres, as generally de-  
25 picted on the map entitled 'Stoddard Valley Pro-

1 posed National OHV Recreation Area' and dated  
2 July 16, 2009, which shall be known as the 'Stod-  
3 dard Valley Off-Highway Vehicle Recreation Area'.

4 "(b) PURPOSE.—The purpose of the off-highway ve-  
5 hicle recreation areas designated under subsection (a) is  
6 to preserve and enhance the recreational opportunities  
7 within the Conservation Area (including opportunities for  
8 off-highway vehicle recreation), while conserving the wild-  
9 life and other natural resource values of the Conservation  
10 Area.

11 "(c) MAPS AND DESCRIPTIONS.—

12 "(1) PREPARATION AND SUBMISSION.—As soon  
13 as practicable after the date of enactment of this  
14 title, the Secretary shall file a map and legal de-  
15 scription of each off-highway vehicle recreation area  
16 designated by subsection (a) with—

17 "(A) the Committee on Natural Resources  
18 of the House of Representatives; and

19 "(B) the Committee on Energy and Nat-  
20 ural Resources of the Senate.

21 "(2) LEGAL EFFECT.—The map and legal de-  
22 scriptions of the off-highway vehicle recreation areas  
23 filed under paragraph (1) shall have the same force  
24 and effect as if included in this title, except that the

1 Secretary may correct errors in the map and legal  
2 descriptions.

3 “(3) PUBLIC AVAILABILITY.—Each map and  
4 legal description filed under paragraph (1) shall be  
5 filed and made available for public inspection in the  
6 appropriate offices of the Bureau of Land Manage-  
7 ment.

8 “(d) USE OF THE LAND.—

9 “(1) RECREATIONAL ACTIVITIES.—

10 “(A) IN GENERAL.—The Secretary shall  
11 continue to authorize, maintain, and enhance  
12 the recreational uses of the off-highway vehicle  
13 recreation areas designated by subsection (a),  
14 including off-highway recreation, hiking, camp-  
15 ing, hunting, mountain biking, sightseeing,  
16 rockhounding, and horseback riding, as long as  
17 the recreational use is consistent with this sec-  
18 tion and any other applicable law.

19 “(B) OFF-HIGHWAY VEHICLE AND OFF-  
20 HIGHWAY RECREATION.—To the extent con-  
21 sistent with applicable Federal law (including  
22 regulations) and this section, any authorized  
23 recreation activities and use designations in ef-  
24 fect on the date of enactment of this title and  
25 applicable to the off-highway vehicle recreation

1 areas designated by subsection (a) shall con-  
2 tinue, including casual off-highway vehicular  
3 use, racing, competitive events, rock crawling,  
4 training, and other forms of off-highway recre-  
5 ation.

6 “(2) WILDLIFE GUZZLERS.—Wildlife guzzlers  
7 shall be allowed in the off-highway vehicle recreation  
8 areas designated by subsection (a) in accordance  
9 with—

10 “(A) applicable Bureau of Land Manage-  
11 ment guidelines; and

12 “(B) State law.

13 “(3) PROHIBITED USES.—Commercial develop-  
14 ment (including development of mining and energy  
15 facilities, but excluding energy transport facilities,  
16 rights-of-way, and related telecommunication facili-  
17 ties) shall be prohibited in the off-highway vehicle  
18 recreation areas designated by subsection (a) if the  
19 Secretary determines that the development is incom-  
20 patible with the purpose described in subsection (b).

21 “(e) ADMINISTRATION.—

22 “(1) IN GENERAL.—The Secretary shall admin-  
23 ister the off-highway vehicle recreation areas des-  
24 ignated by subsection (a) in accordance with—

25 “(A) this title;

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

4           “(C) any other applicable laws (including  
5           regulations).

6           “(2) MANAGEMENT PLAN.—

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

10           “(i) amend existing resource manage-  
11           ment plans applicable to the land des-  
12           ignated as off-highway vehicle recreation  
13           areas under subsection (a); or

14           “(ii) develop new management plans  
15           for each off-highway vehicle recreation  
16           area designated under that subsection.

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

23           “(i) the purpose described in sub-  
24           section (b); and

1                   “(ii) any applicable laws (including  
2                   regulations).

3                   “(C) INTERIM PLANS.—Pending comple-  
4                   tion of a new management plan under subpara-  
5                   graph (A), the existing resource management  
6                   plans shall govern the use of the applicable off-  
7                   highway vehicle recreation area.

8                   “(f) STUDY.—

9                   “(1) IN GENERAL.—As soon as practicable, but  
10                  not later than 2 years, after the date of enactment  
11                  of this title, the Secretary shall complete a study to  
12                  identify Bureau of Land Management land within  
13                  the Conservation Area that is suitable for addition  
14                  to—

15                         “(A) the national off-highway vehicle recre-  
16                         ation areas designated by subsection (a); or

17                         “(B) the Johnson Valley Off-Highway Ve-  
18                         hicle Recreation Area designated by section  
19                         2945 of the National Defense Authorization Act  
20                         for Fiscal Year 2014 (Public Law 113–66; 127  
21                         Stat. 1038).

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

24                         “(A) certain Bureau of Land Management  
25                         land in the Conservation Area, comprising ap-

1           proximately 41,000 acres, as generally depicted  
2           on the map entitled ‘Spangler Hills Proposed  
3           Expansion Study Area’ and dated January 23,  
4           2015; and

5                   “(B) certain Bureau of Land Management  
6           land in the Conservation Area, comprising ap-  
7           proximately 680 acres, as generally depicted on  
8           the map entitled ‘El Mirage Proposed Expan-  
9           sion Study Area’ and dated January 21, 2015.

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

12                   “(A) seek input from stakeholders, includ-  
13           ing—

14                           “(i) the State, including—

15                                   “(I) the California Public Utili-  
16                           ties Commission; and

17                                   “(II) the California Energy Com-  
18                           mission;

19                           “(ii) San Bernardino County, Cali-  
20                   fornia;

21                           “(iii) the public;

22                           “(iv) recreational user groups;

23                           “(v) conservation organizations;

24                           “(vi) the Southern California Edison  
25           Company; and

1                   “(vii) the Pacific Gas and Electric  
2                   Company;

3                   “(B) explore the feasibility of expanding  
4                   the southern boundary of the off-highway vehi-  
5                   cle recreation area described in subsection  
6                   (a)(3) to include previously disturbed land;

---

7                   ~~“(C) identify and exclude from consider-~~  
8                   ~~ation any land that—~~

9                   “(i) is managed for conservation pur-  
10                  poses;

11                  “(ii) may be suitable for renewable en-  
12                  ergy development; or

13                  “(iii) may be necessary for energy  
14                  transmission; and

15                  “(D) not recommend or approve expansion  
16                  of national off-highway recreation areas within  
17                  the Conservation Area that collectively would  
18                  exceed the total acres administratively des-  
19                  ignated for off-highway recreation within the  
20                  Conservation Area as of the day before the date  
21                  of enactment of the National Defense Author-  
22                  ization Act for Fiscal Year 2014 (Public Law  
23                  113–66; 127 Stat. 672).

24                  “(4) APPLICABLE LAW.—The Secretary shall  
25                  consider the information and recommendations of

1 the study completed under paragraph (1) to deter-  
2 mine the impacts of expanding off-highway vehicle  
3 recreation areas designated by subsection (a) on the  
4 Conservation Area, in accordance with—

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

7 “(B) the Endangered Species Act of 1973  
8 (16 U.S.C. 1531 et seq.); and

9 “(C) any other applicable law.

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

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

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

17 “(6) AUTHORIZATION FOR EXPANSION.—

18 “(A) IN GENERAL.—On completion of the  
19 study under paragraph (1) and in accordance  
20 with all applicable laws (including regulations),  
21 the Secretary shall authorize the expansion of  
22 the off-highway vehicle recreation areas rec-  
23 ommended under the study.



1           “(B) affects the application, siting, route  
2           selection, right-of-way acquisition, or construc-  
3           tion of the Coolwater-Lugo transmission  
4           project, as may be approved by the California  
5           Public Utilities Commission and the Bureau of  
6           Land Management; or

7           “(C) prohibits the upgrading or replace-  
8           ment of any Southern California Edison Com-  
9           pany—

10           “(i) utility facility, including such a  
11           utility facility known on the date of enact-  
12           ment of this title as—

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

15           “(II) ‘Patio, Jack Ranch, and  
16           Kenworth distribution circuits or  
17           rights-of-way’; or

18           “(ii) energy transport facility in a  
19           right-of-way issued, granted, or permitted  
20           by the Secretary adjacent to a utility facil-  
21           ity referred to in clause (i).

22           “(2) PLANS FOR ACCESS.—The Secretary, in  
23           consultation with the Southern California Edison  
24           Company, shall publish plans for regular and emer-  
25           gency access by the Southern California Edison

1 Company to the rights-of-way of the Company by  
2 the date that is 1 year after the later of—

3 “(A) the date of enactment of this title;  
4 and

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

7 “(i) the El Mirage Off-Highway Vehi-  
8 cle Recreation Area;

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

11 “(iii) the Stoddard Valley National  
12 Off Highway Vehicle Recreation Area.

13 “(h) PACIFIC GAS AND ELECTRIC COMPANY UTILITY  
14 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 activity (including the use of any mechanized  
22 vehicle, helicopter, and other aerial device) in a  
23 right-of-way issued, granted, or permitted to  
24 Pacific Gas and Electric Company (including  
25 any predecessor or successor in interest or as-

1 sign) that is located on land included in the  
2 Spangler Hills National Off-Highway Vehicle  
3 Recreation Area; or

4 “(B) prohibits the upgrading or replace-  
5 ment of any—

6 “(i) utility facilities of the Pacific Gas  
7 and Electric Company, including those  
8 utility facilities known on the date of en-  
9 actment of this title as—

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

12 “(II) ‘Gas Transmission Line  
13 372 or rights-of-way’; or

14 “(ii) utility facilities of the Pacific  
15 Gas and Electric Company in rights-of-way  
16 issued, granted, or permitted by the Sec-  
17 retary adjacent to a utility facility referred  
18 to in clause (i).

19 “(2) PLANS FOR ACCESS.—Not later than 1  
20 year after the date of enactment of this title or the  
21 issuance of a new utility facility right-of-way within  
22 the Spangler Hills National Off-Highway Vehicle  
23 Recreation Area, whichever is later, the Secretary, in  
24 consultation with the Pacific Gas and Electric Com-  
25 pany, shall publish plans for regular and emergency

1 access by the Pacific Gas and Electric Company to  
2 the rights-of-way of the Pacific Gas and Electric  
3 Company.

4 **“TITLE XIX—ALABAMA HILLS**  
5 **NATIONAL SCENIC AREA**

6 **“SEC. 1901. DEFINITIONS.**

7 “In this title:

8 “(1) ENERGY TRANSPORT FACILITY.—

9 “(A) IN GENERAL.—The term ‘energy  
10 transport facility’ means any facility used for  
11 the operation and maintenance, transmission,  
12 distribution, or transportation of electricity or  
13 natural gas.

14 “(B) INCLUSIONS.—The term ‘energy  
15 transport facility’ includes—

16 “(i) an electric or gas transmission or  
17 distribution facility;

18 “(ii) a telecommunications facility;  
19 and

20 “(iii) any appurtenant equipment  
21 owned or used by a public or municipal  
22 utility company or water district.

23 “(2) MANAGEMENT PLAN.—The term ‘manage-  
24 ment plan’ means the management plan for the Na-  
25 tional Scenic Area developed under section 1903(a).

114TH CONGRESS  
1ST SESSION

# S. 1040

To direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

APRIL 22, 2015

Mr. HELLER (for himself and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study, 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 “ROV In-Depth Exam-  
5 ination Act of 2015”.

1 **SEC. 2. RECREATIONAL OFF-HIGHWAY VEHICLE STAND-**  
2 **ARDS STUDY.**

3 (a) DEFINITIONS.—In this section:

4 (1) COMMISSION.—The term “Commission”  
5 means the Consumer Product Safety Commission.

6 (2) RECREATIONAL OFF-HIGHWAY VEHICLE  
7 AND ROV.—

8 (A) IN GENERAL.—The term “recreational  
9 off-highway vehicle” or “ROV” means a motor-  
10 ized off-highway vehicle designed to travel on  
11 four or more tires, intended by the manufac-  
12 turer for recreational use by one or more per-  
13 sons and having the following characteristics:

14 (i) A steering wheel for steering con-  
15 trol.

16 (ii) Foot controls for throttle and  
17 service brake.

18 (iii) Non-straddle seating.

19 (iv) Maximum speed capability greater  
20 than 30 miles per hour.

21 (v) Gross vehicle weight rating no  
22 greater than 3,750 pounds.

23 (vi) Less than 80 inches in overall  
24 width, exclusive of accessories.

1 (vii) Engine displacement equal to or  
2 less than 61 cubic inches for gasoline  
3 fueled engines.

4 (viii) Identification by means of a 17-  
5 character personal or vehicle information  
6 number.

7 (B) EXCLUSION.—Such term does not in-  
8 clude a prototype of a motorized, off-highway,  
9 all-terrain vehicle or other motorized, off-high-  
10 way, all-terrain vehicle that is intended exclu-  
11 sively for research and development purposes  
12 unless the vehicle is offered for sale.

13 (b) NO MANDATORY STANDARDS REGARDING PER-  
14 FORMANCE OR CONFIGURATION OF ROVs.—

15 (1) IN GENERAL.—The Consumer Product  
16 Safety Commission shall have no authority to estab-  
17 lish any standards concerning the performance or  
18 configuration of recreational off-highway vehicles  
19 until after the completion of the study required by  
20 subsection (c). This prohibition includes a prohibi-  
21 tion on the exercise of any authority pursuant to  
22 section 27(e) of the Consumer Product Safety Act  
23 (15 U.S.C. 2076(e)) to require ROV manufacturers  
24 to provide performance and technical data to pro-

1        spective purchasers and to the first purchaser of an  
2        ROV for purposes other than resale.

3            (2) VOLUNTARY STANDARDS.—Nothing in this  
4        section shall be construed as suggesting that ROVs  
5        shall not be manufactured in compliance with appli-  
6        cable voluntary standards.

7        (c) STUDY ON PROPOSED LATERAL STABILITY AND  
8        VEHICLE HANDLING REQUIREMENTS.—

9            (1) AGREEMENT.—

10            (A) IN GENERAL.—The Commission shall  
11        seek to enter into an agreement with the Na-  
12        tional Academy of Sciences to perform the serv-  
13        ices covered by this subsection.

14            (B) TIMING.—The Commission shall seek  
15        to enter into the agreement described in sub-  
16        paragraph (A) not later than the latest date by  
17        which the Commission considers reasonable for  
18        the National Academy of Sciences to begin per-  
19        forming the services covered by this subsection  
20        and complete them before the date described in  
21        paragraph (2)(D).

22            (2) STUDY.—

23            (A) IN GENERAL.—Under an agreement  
24        between the Commission and the National  
25        Academy of Sciences under this subsection, the

1 National Academy of Sciences shall conduct a  
2 study on matters concerning the lateral stability  
3 and vehicle handling requirements proposed by  
4 the Commission in a notice of proposed rule-  
5 making published in the Federal Register No-  
6 vember 19, 2014 (79 Fed. Reg. 68964).

7 (B) ELEMENTS.—The study carried under  
8 subparagraph (A) shall determine—

9 (i) the technical validity of the lateral  
10 stability and vehicle handling requirements  
11 described in subparagraph (A), for pur-  
12 poses of reducing the risk of ROV rollovers  
13 in the off-road environment, including the  
14 repeatability and reproducibility of testing  
15 for compliance with such requirements;

16 (ii) the number of ROV rollovers that  
17 would be prevented if the proposed require-  
18 ments were adopted;

19 (iii) whether there is a technical basis  
20 for the proposal to provide information on  
21 a point-of-sale hangtag about a vehicle's  
22 rollover resistance on a progressive scale;  
23 and

1 (iv) the effect on the utility of ROVs  
2 used by the Armed Forces if the proposed  
3 requirements were adopted.

4 (C) CONSULTATION.—In carrying out the  
5 study pursuant to subparagraph (A), the Na-  
6 tional Academy of Sciences shall consult with  
7 the Administrator of the National Highway  
8 Traffic Safety Administration and the Secretary  
9 of Defense.

10 (D) DEADLINE AND REPORT.—In carrying  
11 out the study pursuant to subparagraph (A),  
12 the National Academy of Sciences shall com-  
13 plete and transmit to the Commission a report  
14 containing the findings of the study not later  
15 than 2 years after the date of the enactment of  
16 this Act.

17 (3) REPORT TO CONGRESS.—Not later than 5  
18 days after receiving the report described in para-  
19 graph (2)(D) from the National Academy of  
20 Sciences, the Commission shall submit to the Com-  
21 mittee on Commerce, Science, and Transportation of  
22 the Senate and the Committee on Energy and Com-  
23 merce of the House of Representatives such report,  
24 along with such comments as the Commission may  
25 have concerning the report.

1           (4) CONSIDERATION.—The Commission shall  
2 consider the results of the study conducted under  
3 this subsection in any subsequent rulemaking re-  
4 garding the performance or configuration of ROVs,  
5 or the provision of point-of-sale information regard-  
6 ing ROV performance.

7           (5) ALTERNATE CONTRACT ORGANIZATION.—

8           (A) IN GENERAL.—If the Commission is  
9 unable within the period prescribed in para-  
10 graph (1)(B) to enter into an agreement de-  
11 scribed in paragraph (1)(A) with the National  
12 Academy of Sciences on terms acceptable to the  
13 Commission, the Commission shall seek to enter  
14 into such an agreement with another appro-  
15 priate organization that—

16                   (i) is not part of the Government;

17                   (ii) operates as a not-for-profit entity;

18                   and

19                   (iii) has expertise and objectivity com-  
20 parable to that of the National Academy of  
21 Sciences.

22           (B) TREATMENT.—If the Commission en-  
23 ters into an agreement with another organiza-  
24 tion as described in subparagraph (A), any ref-  
25 erence in this section to the National Academy

1 of Sciences shall be treated as a reference to  
2 the other organization.

○

114TH CONGRESS  
1ST SESSION

# H. R. 792

To provide for no net increase in the total acreage of certain Federal land under the jurisdiction of the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, or the Forest Service, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2015

Mr. GRIFFITH 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 provide for no net increase in the total acreage of certain Federal land under the jurisdiction of the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, or the Forest Service, 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 “Acre In, Acre Out  
5 Act”.

1 **SEC. 2. NO NET INCREASE IN CERTAIN FEDERAL LANDS.**

2 (a) IN GENERAL.—For acquisition of land by the  
3 Secretary of the Interior or the Secretary of Agriculture  
4 that would result in a net increase of total land acreage  
5 under the jurisdiction of the National Park Service, the  
6 United States Fish and Wildlife Service, the Bureau of  
7 Land Management, or the Forest Service, the Secretary  
8 concerned shall offer for sale an equal number of acres  
9 of Federal land that is under the same jurisdictional sta-  
10 tus.

11 (b) EXEMPTIONS.—Subsection (a) shall not apply to  
12 easements acquired—

13 (1) by the Secretary of the Interior to facilitate  
14 management of Federal lands; or

15 (2) by the Secretary of Agriculture to facilitate  
16 management of Federal lands.

17 (c) CONSIDERATION.—

18 (1) IN GENERAL.—Land sold pursuant to sub-  
19 section (a) shall be offered for sale—

20 (A) at fair market value (based on local  
21 comparable sales); and

22 (B) at a price that is reduced by 10 per-  
23 cent each month if the land is not sold or under  
24 contract to be sold by the date that is 6 months  
25 after the land was first offered for sale.

1           (2) EXCEPTION.—Time periods during which  
2           land is under contract for sale or withdrawn from  
3           the market shall not be counted for the purposes of  
4           price reduction under paragraph (1)(B).

5           (d) EXISTING RIGHTS.—The sale of Federal lands  
6           pursuant to this section shall be subject to valid existing  
7           rights.

8           (e) PROCEEDS OF SALE OF LANDS.—All net proceeds  
9           from the sale of Federal lands pursuant to this section  
10          shall be deposited directly into the Treasury for reduction  
11          of the public debt.

○

114TH CONGRESS  
1ST SESSION

# H. R. 999

To direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2015

Mr. POMPEO (for himself, Mr. PETERSON, Mr. PAULSEN, Mr. HARPER, Mr. DUFFY, Mr. STEWART, Mr. KING of Iowa, Mr. SIMPSON, Mr. BENISHEK, Mr. KLINE, Mr. ZINKE, Mr. OLSON, Mrs. NOEM, Mr. AMODEI, and Mr. STIVERS) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To direct the Consumer Product Safety Commission and the National Academy of Sciences to study the vehicle handling requirements proposed by the Commission for recreational off-highway vehicles and to prohibit the adoption of any such requirements until the completion of the study.

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 “ROV In-Depth Exam-  
5 ination Act”.

1 **SEC. 2. RECREATIONAL OFF-HIGHWAY VEHICLE STAND-**  
2 **ARDS STUDY.**

3 (a) NO MANDATORY STANDARDS REGARDING PER-  
4 FORMANCE OR CONFIGURATION OF ROVs.—

5 (1) IN GENERAL.—The Consumer Product  
6 Safety Commission shall have no authority to estab-  
7 lish any standards concerning the performance or  
8 configuration of recreational off-highway vehicles  
9 until after the completion of the study required by  
10 subsection (b). This prohibition includes a prohibi-  
11 tion on the exercise of any authority pursuant to  
12 section 27(e) of the Consumer Product Safety Act  
13 (15 U.S.C. 2076(e)) to require ROV manufacturers  
14 to provide performance and technical data to pro-  
15 spective purchasers and to the first purchaser of an  
16 ROV for purposes other than resale.

17 (2) VOLUNTARY STANDARDS.—Nothing in this  
18 section shall be construed as suggesting that ROVs  
19 shall not be manufactured in compliance with appli-  
20 cable voluntary standards.

21 (b) STUDY.—

22 (1) IN GENERAL.—The Commission shall con-  
23 tract with the National Academy of Sciences to de-  
24 termine—

25 (A) the technical validity of the lateral sta-  
26 bility and vehicle handling requirements pro-

1           posed by the Commission in a notice of pro-  
2           posed rulemaking published in the Federal Reg-  
3           ister November 19, 2014 (79 Fed. Reg. 68964),  
4           for purposes of reducing the risk of ROV roll-  
5           overs in the off-road environment, including the  
6           repeatability and reproducibility of testing for  
7           compliance with such requirements;

8           (B) the number of ROV rollovers that  
9           would be prevented if the proposed require-  
10          ments were adopted;

11          (C) whether there is a technical basis for  
12          the proposal to provide information on a point-  
13          of-sale hangtag about a vehicle's rollover resist-  
14          ance on a progressive scale; and

15          (D) the effect on the utility of ROVs used  
16          by the Armed Forces if the proposed require-  
17          ments were adopted.

18          (2) CONSULTATION AND DEADLINE FOR RE-  
19          PORT.—The National Academy of Sciences shall  
20          consult with the National Highway Traffic Safety  
21          Administration and the Department of Defense in  
22          carrying out the study required by this subsection.  
23          The National Academy of Sciences shall complete  
24          and transmit to the Commission a report containing

1 the findings of the study not later than two years  
2 after the date of enactment of this Act.

3 (3) REPORT TO CONGRESS.—Within five days  
4 of receiving the report described in paragraph (2)  
5 from the National Academy of Sciences, the Com-  
6 mission shall transmit the report, along with any  
7 comments of the Commission, to the Committee on  
8 Energy and Commerce of the House of Representa-  
9 tives and to the Committee on Commerce, Science  
10 and Transportation of the Senate.

11 (4) CONSIDERATION.—The Commission shall  
12 consider the results of the study in any subsequent  
13 rulemaking regarding the performance or configura-  
14 tion of ROVs, or the provision of point-of-sale infor-  
15 mation regarding ROV performance.

16 (c) DEFINITIONS.—As used in this section:

17 (1) COMMISSION.—The term “Commission”  
18 means the Consumer Product Safety Commission.

19 (2) RECREATIONAL OFF-HIGHWAY VEHICLE.—  
20 The term “recreational off-highway vehicle” or  
21 “ROV” means a motorized off-highway vehicle de-  
22 signed to travel on four or more tires, intended by  
23 the manufacturer for recreational use by one or  
24 more persons and having the following characteris-  
25 tics:

1 (A) A steering wheel for steering control.

2 (B) Foot controls for throttle and service  
3 brake.

4 (C) Non-straddle seating.

5 (D) Maximum speed capability greater  
6 than 30 miles per hour.

7 (E) Gross vehicle weight rating no greater  
8 than 3,750 pounds.

9 (F) Less than 80 inches in overall width,  
10 exclusive of accessories.

11 (G) Engine displacement equal to or less  
12 than 61 cubic inches for gasoline fueled en-  
13 gines.

14 (H) Identification by means of a 17-char-  
15 acter personal or vehicle information number.

16 (3) EXCLUSION.—Such term does not include a  
17 prototype of a motorized, off-highway, all-terrain ve-  
18 hicle or other motorized, off-highway, all-terrain ve-  
19 hicle that is intended exclusively for research and de-  
20 velopment purposes unless the vehicle is offered for  
21 sale.

○

114TH CONGRESS  
1ST SESSION

# H. R. 1838

To establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, to designate additional components of the National Wild and Scenic Rivers System, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2015

Mr. FARR (for himself, Mr. VALADAO, and Mr. DENHAM) introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, to designate additional components of the National Wild and Scenic Rivers System, 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 “Clear Creek National  
5 Recreation Area and Conservation Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) MANAGEMENT PLAN.—The term “manage-  
2           ment plan” means the Plan for the Recreation Area  
3           prepared under section 4(c).

4           (2) RECREATION AREA.—The term “Recreation  
5           Area” means the Clear Creek National Recreation  
6           Area.

7           (3) SECRETARY.—The term “Secretary” means  
8           the Secretary of the Interior.

9           (4) STATE.—The term “State” means the State  
10          of California.

11          (5) OFF HIGHWAY VEHICLE.—The term “off  
12          highway vehicle” means any motorized vehicle de-  
13          signed for or capable of cross-country travel on or  
14          immediately over land, water, snow, or other natural  
15          terrain and not intended for use on public roads.

16 **SEC. 3. ESTABLISHMENT OF CLEAR CREEK NATIONAL**  
17 **RECREATION AREA.**

18          (a) IN GENERAL.—To promote environmentally re-  
19          sponsible off highway vehicle recreation, there is estab-  
20          lished the “Clear Creek National Recreation Area”, to be  
21          managed by the Secretary.

22          (b) OTHER PURPOSES.—The Recreation Area shall  
23          also support other public recreational uses, such as hunt-  
24          ing, hiking, and rock and gem collecting.

25          (c) MAP.—

1           (1) IN GENERAL.—Not later than 180 days  
2 after the date of the enactment of this Act, the Sec-  
3 retary shall submit a map and legal description of  
4 the Recreation Area to—

5                   (A) the Committee on Natural Resources  
6 of the House of Representatives; and

7                   (B) the Committee on Energy and Natural  
8 Resources of the Senate.

9           (2) AVAILABILITY.—Copies of the map sub-  
10 mitted under paragraph (1) shall be on file and  
11 available for public inspection in—

12                   (A) the Office of the Director of the Bu-  
13 reau of Land Management; and

14                   (B) the appropriate office of the Bureau of  
15 Land Management in California.

16 **SEC. 4. MANAGEMENT.**

17           (a) IN GENERAL.—The Secretary shall manage the  
18 Recreation Area to further the purposes described in sec-  
19 tion 3(a), in accordance with—

20                   (1) this Act;

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

23                   (3) any other applicable law.

24           (b) USES.—The Secretary shall—

1           (1) prioritize environmentally responsible off  
2 highway vehicle recreation and also facilitate hunt-  
3 ing, hiking, gem collecting, and the use of motorized  
4 vehicles, mountain bikes, and horses in accordance  
5 with the management plan described in subsection  
6 (c);

7           (2) issue special recreation permits for motor-  
8 ized and non-motorized events; and

9           (3) reopen the Clear Creek Management Area  
10 to the uses described in this subsection as soon as  
11 practicable following the enactment of this Act and  
12 in accordance with the management guidelines out-  
13 lined in this Act and other applicable law.

14       (c) INTERIM MANAGEMENT PLAN.—The Secretary  
15 shall use the 2005 Clear Creek Management Area Travel  
16 Management Plan as modified by this Act or the Secretary  
17 to incorporate natural resource protection information not  
18 available in 2005, as the basis of an interim management  
19 plan to govern off highway vehicle recreation within the  
20 Recreation Area pending the completion of the long-term  
21 management plan required in subsection (d).

22       (d) PERMANENT MANAGEMENT PLAN.—Not later  
23 than 2 years after the date of the enactment of this Act,  
24 the Secretary shall create a comprehensive management  
25 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; and

9                 (C) other stakeholders (including conserva-  
10 tion and recreational organizations);

11           (3) shall include a hazards education program  
12 to inform people entering the Recreation Area of the  
13 asbestos related risks associated with various activi-  
14 ties within the Recreation Area, including off-high-  
15 way vehicle recreation;

16           (4) shall include a user fee program for motor-  
17 ized vehicle use within the Recreational Area and  
18 guidelines for the use of the funds collected for the  
19 management and improvement of the Recreation  
20 Area;

21           (5) shall designate as many previously used  
22 trails, roads, and other areas for off highway vehicle  
23 recreation as feasible in accordance with this in  
24 order to provide a substantially similar recreational  
25 experience, except that nothing in this paragraph

1 shall be construed as precluding the Secretary from  
2 closing any area, trail, or route from use for the  
3 purposes of public safety or resource protection;

4 (6) may incorporate any appropriate decisions,  
5 as determined by the Secretary, in accordance with  
6 this Act, that are contained in any management or  
7 activity plan for the area completed before the date  
8 of the enactment of this Act;

9 (7) may incorporate appropriate wildlife habitat  
10 management plans or other plans prepared for the  
11 land within or adjacent to the Recreation Area be-  
12 fore the date of the enactment of this Act, in accord-  
13 ance with this Act;

14 (8) may use information developed under any  
15 studies of land within or adjacent to the Recreation  
16 Area carried out before the date of enactment of this  
17 Act; and

18 (9) may include cooperative agreements with  
19 State or local government agencies to manage all or  
20 a portion of the recreational activities within the  
21 Recreation Area in accordance with an approved  
22 management plan and the requirements of this Act.

23 (e) ACQUISITION OF PROPERTY.—

1           (1) IN GENERAL.—The Secretary may acquire  
2 land adjacent to the National Recreation Area by  
3 purchase from willing sellers, donation, or exchange.

4           (2) MANAGEMENT.—Any land acquired under  
5 paragraph (1) shall be managed in accordance  
6 with—

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

9                   (B) this Act; and

10                   (C) any other applicable law (including  
11 regulations).

12           (3) IMPROVED ACCESS.—The Secretary may ac-  
13 quire by purchase from willing sellers, donation, ex-  
14 change, or easement, land, or interest in land to im-  
15 prove public safety in providing access to the Recre-  
16 ation Area.

17 (f) PRIVATE PROPERTY.—

18           (1) ACCESS TO PRIVATE PROPERTY.—

19                   (A) IN GENERAL.—The Secretary shall  
20 provide landowners adequate access to in-  
21 holdings within the Recreation Area.

22                   (B) INHOLDINGS.—For access purposes,  
23 private land adjacent to the Recreation Area to  
24 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 (c)(3)(G) shall  
7 be—

8           (1) deposited in a special account in the Treas-  
9 ury of the United States; and

10           (2) made available until expended, without fur-  
11 ther appropriation, to the Secretary for use in the  
12 Recreation Area.

13           (m) RISK STANDARD.—The National Oil and Haz-  
14 ardous Substances Pollution Contingency Plan (section  
15 300 of title 40, Code of Federal Regulations), published  
16 pursuant to section 105 of the Comprehensive Environ-  
17 mental Response, Compensation, and Liability Act of  
18 1980 (42 U.S.C. 9605), shall not apply to the Secretary’s  
19 management of asbestos exposure risks faced by the public  
20 when recreating within the Clear Creek Recreation Area  
21 described in section 3(b).

22 **SEC. 5. JOAQUIN ROCKS WILDERNESS.**

23           In accordance with the Wilderness Act (16 U.S.C.  
24 1131 et seq.), the approximately 21,000 acres of Federal  
25 lands located in Fresno County and San Benito County,

1 California, and generally depicted on a map entitled “Pro-  
2 posed Joaquin Rocks Wilderness” and dated January 14,  
3 2015, is designated as wilderness and as a component of  
4 the National Wilderness Preservation System and shall be  
5 known as the “Joaquin Rocks Wilderness”.

6 **SEC. 6. CLEAR CREEK MANAGEMENT AREA WILD AND SCE-**  
7 **NIC RIVERS.**

8 Section 3(a) of the Wild and Scenic Rivers Act (16  
9 U.S.C. 1274(a)) is amended by adding at the end the fol-  
10 lowing paragraphs:

11 “(\_\_\_\_) LARIOUS CANYON.—The approximately  
12 5.25 miles of Larious Canyon Creek from its source  
13 near Idria Peak in Section 6, R12E, T18S, to the  
14 boundary of the Clear Creek Special Recreation  
15 Management Area in Section 23, R11E, T17S.

16 “(\_\_\_\_) SAN CARLOS CREEK.—The approxi-  
17 mately 5.51 miles of the East Fork San Carlos  
18 Creek from its source near San Benito Mountain in  
19 Section 10, R12E, T18S, to the boundary of the  
20 Clear Creek Special Recreation Management Area in  
21 Section 22, R12E, T17S.

22 “(\_\_\_\_) CANTUA CREEK.—The approximately  
23 7.68 miles of Cantua Creek from its source north of  
24 Santa Rita Peak in Section 24, R12E, T18S, to the  
25 public land boundary in Section 3, R13E, T18S.

1           “(\_\_\_\_) PICACHO CREEK.—The approximately  
2           2.65 miles of Picacho Creek, from its source spring  
3           in Section 20, R12E, T18S, to its confluence with  
4           the San Benito River.

5           “(\_\_\_\_) WHITE CREEK AND TRIBUTARIES.—

6           “(A) The approximately 5.37 miles of  
7           White Creek, from its source in Section 36,  
8           R12E, T18S, to the boundary of the Clear  
9           Creek Special Recreation Management Area in  
10          Section 17, R13E, T19S.

11          “(B) The approximately 2.29 miles of the  
12          unnamed tributary of White Creek from its  
13          source just south of Spanish Lake in Section  
14          29, R13E, T18S, to its confluence with White  
15          Creek.

16          “(C) The approximately 2.45 miles of the  
17          unnamed tributary of White Creek from its  
18          source in Section 33, R13E, T18S, to its con-  
19          fluence with White Creek.”.

20 **SEC. 7. RELEASE OF SAN BENITO MOUNTAIN WILDERNESS**  
21 **STUDY AREA.**

22          (a) FINDING.—Congress finds that, for the purposes  
23 of section 603 of the Federal Land Policy and Manage-  
24 ment Act of 1976 (43 U.S.C. 1782), the San Benito

1 Mountain wilderness study area has been adequately stud-  
2 ied for wilderness designation.

3 (b) RELEASE.—The San Benito Mountain wilderness  
4 study area is no longer subject to section 603(c) of the  
5 Federal Land Policy and Management Act of 1976 (43  
6 U.S.C. 1782(c)).

○

114TH CONGRESS  
1ST SESSION

# H. R. 3668

To codify in law and expand certain off-highway vehicle recreation areas in the State of California, to designate as wilderness certain public lands in the State of California administered by the Bureau of Land Management, to expand the Death Valley National Park Wilderness and the San Gorgonio Wilderness in San Bernardino National Forest, to ensure the conservation and necessary management of wildlife in these wilderness areas, to establish the Mojave Trails Special Management Area in the State, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 2015

Mr. COOK (for himself and Mr. KNIGHT) introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To codify in law and expand certain off-highway vehicle recreation areas in the State of California, to designate as wilderness certain public lands in the State of California administered by the Bureau of Land Management, to expand the Death Valley National Park Wilderness and the San Gorgonio Wilderness in San Bernardino National Forest, to ensure the conservation and necessary management of wildlife in these wilderness areas, to establish the Mojave Trails Special Management Area in the State, 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 Minerals, Off-Road Recreation, and Conserva-  
 6 tion Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—OFF-HIGHWAY VEHICLE RECREATION AREAS

Sec. 101. Purpose.

Sec. 102. Statutory designation and expansion of off-highway vehicle recreation areas, San Bernardino County, California.

Sec. 103. Administration.

Sec. 104. Southern California Edison Company energy transport facilities and rights-of-way.

Sec. 105. Pacific Gas and Electric Company utility facilities and rights-of-way.

TITLE II—WILDERNESS

Sec. 201. Purpose.

Sec. 202. Designation or expansion of wilderness areas in the State of California.

Sec. 203. Management.

Sec. 204. Release of wilderness study areas.

Sec. 205. Treatment of cherry-stemmed roads.

TITLE III—NATIONAL PARK SYSTEM ADDITIONS

Sec. 301. Death Valley National Park boundary revision.

Sec. 302. Joshua Tree National Park boundary revision, visitor center, and sale of Federal land.

Sec. 303. Mojave National Preserve boundary revision and related provisions.

TITLE IV—DESIGNATION OF WILD, SCENIC, AND RECREATIONAL RIVERS

Sec. 401. Designation of wild, scenic, and recreational rivers.

TITLE V—BLACK LAVA BUTTE AND FLAT TOP MESA

Sec. 501. Black Lava Butte and Flat Top Mesa Area of Critical Environmental Concern.

TITLE VI—MOJAVE TRAILS SPECIAL MANAGEMENT AREA

Sec. 601. Definitions.

- Sec. 602. Mojave trails special management area.
- Sec. 603. Management.
- Sec. 604. Acquisition of land.
- Sec. 605. Renewable energy right-of-way applications.
- Sec. 606. Expedited environmental review process to facilitate route 66 bridge repair and replacement within management area.

#### TITLE VII—SAND TO SNOW NATIONAL MONUMENT

- Sec. 701. Definitions.
- Sec. 702. Sand to Snow National Monument.
- Sec. 703. Management of Monument.
- Sec. 704. Uses of Monument.
- Sec. 705. Acquisition of land.
- Sec. 706. Advisory committee.
- Sec. 707. Wireless communications facilities.

#### TITLE VIII—LAND CONVEYANCES, WITHDRAWALS, AND RELATED PROVISIONS

- Sec. 801. Release of Federal reversionary land interests.
- Sec. 802. California State School land.
- Sec. 803. Juniper Flats.
- Sec. 804. Land exchange, San Geronio Wilderness, California Desert Conservation Area, Bureau of Land Management, and San Bernardino National Forest, California.
- Sec. 805. Conveyance for Apple Valley Off-Highway Vehicle Recreation Area.
- Sec. 806. Conveyance to City of Twentynine Palms, California.
- Sec. 807. Conversion of valid, existing rights.

#### TITLE IX—MISCELLANEOUS PROVISIONS

- Sec. 901. Tribal uses and interests.
- Sec. 902. Military activities.
- Sec. 903. Deed restrictions on donated land within the California Desert Conservation Area.
- Sec. 904. Wildlife management.
- Sec. 905. Limitation on extension or establishment of national monuments.
- Sec. 906. Categorical exclusion for eastern Inyo County broadband corridor.

## 1 **TITLE I—OFF-HIGHWAY VEHICLE** 2 **RECREATION AREAS**

### 3 **SEC. 101. PURPOSE.**

4       The purpose of this title is to designate in law certain  
5 off-highway vehicle recreation areas currently designated  
6 administratively by the Secretary of the Interior as Na-  
7 tional Off-Highway Vehicle Recreation Areas in order to  
8 preserve and enhance the recreational opportunities within

1 the California Desert Conservation Area, including oppor-  
2 tunities for off-highway vehicle recreation, while con-  
3 serving the wildlife and other natural resources of the  
4 Conservation Area.

5 **SEC. 102. STATUTORY DESIGNATION AND EXPANSION OF**  
6 **OFF-HIGHWAY VEHICLE RECREATION AREAS,**  
7 **SAN BERNARDINO COUNTY, CALIFORNIA.**

8 (a) STATUTORY DESIGNATION.—In accordance with  
9 the Federal Land Policy and Management Act of 1976  
10 (43 U.S.C. 1701 et seq.) and resource management plans  
11 developed under this title, and subject to valid rights, the  
12 following public lands within the California Desert Con-  
13 servation Area in San Bernardino County, California, are  
14 designated as National Off-Highway Vehicle Recreation  
15 Areas:

16 (1) DUMONT DUNES OFF-HIGHWAY VEHICLE  
17 RECREATION AREA.—Certain public lands com-  
18 prising approximately 7,630 acres, as generally de-  
19 picted on the map entitled “Dumont Dunes Pro-  
20 posed National OHV Recreation Area” and dated  
21 June 29, 2015, which corresponds to the boundaries  
22 of an administratively designated off-highway vehicle  
23 recreation area and shall be known as the Dumont  
24 Dunes National Off-Highway Vehicle Recreation  
25 Area.

1           (2) EL MIRAGE OFF-HIGHWAY VEHICLE RECRE-  
2           ATION AREA.—Certain public lands comprising ap-  
3           proximately 15,610 acres, as generally depicted on  
4           the map entitled “El Mirage Proposed National  
5           OHV Recreation Area” and dated January 8, 2015,  
6           which expands the boundaries of an administratively  
7           designated off-highway vehicle recreation area and  
8           shall be known as the El Mirage National Off-High-  
9           way Vehicle Recreation Area.

10           (3) RASOR OFF-HIGHWAY VEHICLE RECRE-  
11           ATION AREA.—Certain public lands comprising ap-  
12           proximately 23,910 acres, as generally depicted on  
13           the map entitled “Rasor Proposed National OHV  
14           Recreation Area” and dated February 15, 2015,  
15           which corresponds to the boundaries of an adminis-  
16           tratively designated off-highway vehicle recreation  
17           area and shall be known as the Rasor National Off-  
18           Highway Vehicle Recreation Area.

19           (4) SPANGLER HILLS OFF-HIGHWAY VEHICLE  
20           RECREATION AREA.—Certain public lands com-  
21           prising approximately 93,610 acres, as generally de-  
22           picted on the map entitled “Spangler Hills Proposed  
23           National OHV Recreation Area” and dated May 27,  
24           2015, which expands the boundaries of an adminis-  
25           tratively designated off-highway vehicle recreation

1 area and shall be known as the Spangler Hills Na-  
2 tional Off-Highway Vehicle Recreation Area.

3 (5) STODDARD VALLEY OFF-HIGHWAY VEHICLE  
4 RECREATION AREA.—Certain public lands com-  
5 prising approximately 40,110 acres, as generally de-  
6 picted on the map entitled “Stoddard Valley Pro-  
7 posed National OHV Recreation Area” and dated  
8 February 18, 2015, which corresponds to the bound-  
9 aries of an administratively designated off-highway  
10 vehicle recreation area and shall be known as the  
11 Stoddard Valley National Off-Highway Vehicle  
12 Recreation Area.

13 (b) REDESIGNATION AND EXPANSION OF JOHNSON  
14 VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.—

15 (1) IN GENERAL.—The Johnson Valley Off-  
16 Highway Vehicle Recreation Area designated by sec-  
17 tion 2945 of the Military Construction Authorization  
18 Act for Fiscal Year 2014 (division B of Public Law  
19 113–66; 127 Stat. 1038)—

20 (A) is hereby redesignated as the Johnson  
21 Valley National Off-Highway Vehicle Recreation  
22 Area; and

23 (B) is expanded to include all of the land  
24 depicted as the “Proposed National Off High-  
25 way Vehicle Recreation Area Additions” on the

1 map entitled “Johnson Valley Proposed Na-  
2 tional OHV Recreation Area” and dated April  
3 23, 2015.

4 (2) CONFORMING AMENDMENTS.—

5 (A) DESIGNATION.—Section 2945 of the  
6 Military Construction Authorization Act for  
7 Fiscal Year 2014 (division B of Public Law  
8 113–66; 127 Stat. 1038) is amended—

9 (i) in the section heading, by inserting  
10 “**NATIONAL**” after “**VALLEY**”;

11 (ii) in subsection (a), by inserting  
12 “National” after “Valley” in the matter  
13 preceding paragraph (1); and

14 (iii) in subsections (b), (c), and (d),  
15 by inserting “National” after “Valley”  
16 each place it appears.

17 (B) CROSS REFERENCE.—Section  
18 2942(c)(3) of the Military Construction Author-  
19 ization Act for Fiscal Year 2014 (division B of  
20 Public Law 113–66; 127 Stat. 1037) is amend-  
21 ed by inserting “National” after “Valley”.

22 (3) RELATION TO AUTHORIZED NAVY USE.—  
23 The redesignation of the Johnson Valley Off-High-  
24 way Vehicle Recreation Area as the Johnson Valley  
25 National Off-Highway Vehicle Recreation Area does

1 not alter or interfere with the rights and obligations  
2 of the Navy regarding the use of portions of the  
3 Recreation Area as provided in subtitle C of title  
4 XXIX of the Military Construction Authorization  
5 Act for Fiscal Year 2014 (division B of Public Law  
6 113–66; 127 Stat. 1034).

7 (4) REFERENCES.—Any reference in any law,  
8 regulation, document, record, map, or other paper of  
9 the United States to the Johnson Valley Off-High-  
10 way Vehicle Recreation Area is deemed to be a ref-  
11 erence to the Johnson Valley National Off-Highway  
12 Vehicle Recreation Area.

13 (c) MAPS AND DESCRIPTIONS.—

14 (1) PREPARATION AND SUBMISSION.—As soon  
15 as practicable after the date of enactment of this  
16 Act, the Secretary of the Interior shall file a map  
17 and legal description of the National Off-Highway  
18 Vehicle Recreation Areas designated by subsection  
19 (a) and (b) with—

20 (A) the Committee on Natural Resources  
21 of the House of Representatives; and

22 (B) the Committee on Energy and Natural  
23 Resources of the Senate.

24 (2) LEGAL EFFECT.—The map and legal de-  
25 scriptions of the National Off-Highway Vehicle

1 Recreation Areas filed under paragraph (1) shall  
2 have the same force and effect as if included in this  
3 Act, except that the Secretary may correct errors in  
4 the map and legal descriptions.

5 (3) PUBLIC AVAILABILITY.—Each map and  
6 legal description filed under paragraph (1) shall be  
7 filed and made available for public inspection in the  
8 appropriate offices of the Bureau of Land Manage-  
9 ment.

10 **SEC. 103. ADMINISTRATION.**

11 (a) APPLICABLE LAWS.—The Secretary of the Inte-  
12 rior shall administer the National Off-Highway Vehicle  
13 Recreation Areas designated by subsections (a) and (b)  
14 of section 102 in accordance with—

15 (1) this title;

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

18 (3) any other applicable laws (including regula-  
19 tions).

20 (b) MANAGEMENT PLAN.—

21 (1) IN GENERAL.—As soon as practicable, but  
22 not later than three years after the date of enact-  
23 ment of this Act, the Secretary of the Interior  
24 shall—

1 (A) amend existing resource management  
2 plans applicable to the land designated as a Na-  
3 tional Off-Highway Vehicle Recreation Areas  
4 under subsection (a) or (b) of section 102; or

5 (B) develop new management plans for  
6 such National Off-Highway Vehicle Recreation  
7 Areas.

8 (2) REQUIREMENTS.—All new or amended  
9 plans under paragraph (1) shall be designed to pre-  
10 serve and enhance safe off-highway vehicle and other  
11 recreational opportunities within the applicable Na-  
12 tional Off-Highway Vehicle Recreation Area con-  
13 sistent with—

14 (A) the purpose of this title; and

15 (B) any applicable laws (including regula-  
16 tions).

17 (3) INTERIM PLANS.—Pending completion of a  
18 new management plan under subsection (b)(2), the  
19 existing resource management plans shall govern the  
20 use of the applicable National Off-Highway Vehicle  
21 Recreation Area.

22 (c) USE OF THE LAND.—

23 (1) IN GENERAL.—The Secretary of the Inte-  
24 rior shall continue to authorize, maintain, and en-  
25 hance the recreational uses of the National Off-

1 Highway Vehicle Recreation Areas designated by  
2 subsections (a) and (b) of section 102, including off-  
3 highway recreation, hiking, camping, hunting, moun-  
4 tain biking, sightseeing, rockhounding, and horse-  
5 back riding, as long as the recreational use is con-  
6 sistent with this title and any other applicable law.

7 (2) OFF-HIGHWAY VEHICLE AND OFF-HIGHWAY  
8 RECREATION.—To the extent consistent with appli-  
9 cable Federal law (including regulations) and this  
10 title, any authorized recreation activities and use  
11 designations in effect on the date of enactment of  
12 this Act and applicable to the National Off-Highway  
13 Vehicle Recreation Areas designated by subsections  
14 (a) and (b) of section 102 shall continue, including  
15 casual off-highway vehicular use, racing, competitive  
16 events, rock crawling, training, and other forms of  
17 off-highway recreation.

18 (3) WILDLIFE GUZZLERS.—Wildlife guzzlers  
19 shall be allowed in the National Off-Highway Vehicle  
20 Recreation Areas designated by subsections (a) and  
21 (b) of section 102 in accordance with—

22 (A) applicable Bureau of Land Manage-  
23 ment guidelines; and

24 (B) the laws of the State of California.

25 (4) PROHIBITED USES.—

1 (A) IN GENERAL.—Commercial develop-  
2 ment (including development of energy facili-  
3 ties, but excluding energy transport facilities,  
4 rights-of-way, and related telecommunication  
5 facilities) shall be prohibited in the National  
6 Off-Highway Vehicle Recreation Areas des-  
7 ignated by subsections (a) and (b) of section  
8 102 if the Secretary determines that the devel-  
9 opment is incompatible with the purpose of this  
10 title.

11 (B) EXCEPTION FOR TEMPORARY PER-  
12 MITTED VENDORS.—Subparagraph (A) does not  
13 prohibit a commercial vendor from establishing,  
14 pursuant to a temporary permit, a site in the  
15 National Off-Highway Vehicle Recreation Areas  
16 for the purpose of providing accessories and  
17 other support for off-highway vehicles and vehi-  
18 cles used for accessing the area.

19 **SEC. 104. SOUTHERN CALIFORNIA EDISON COMPANY EN-**  
20 **ERGY TRANSPORT FACILITIES AND RIGHTS-**  
21 **OF-WAY.**

22 (a) EFFECT OF TITLE.—Nothing in this title—

23 (1) terminates—

24 (A) any right-of-way issued, granted, or  
25 permitted to Southern California Edison Com-

1           pany (including any predecessor or successor in  
2           interest or assign) as of the date of the enact-  
3           ment of this Act that is located on land in-  
4           cluded in the National Off-Highway Vehicle  
5           Recreation Areas designated by subsections (a)  
6           and (b) of section 102; or

7                   (B) the customary operation, maintenance,  
8           upgrade, repair, relocation within such a right-  
9           of-way, replacement, or other authorized energy  
10          transport facility activities (including the use of  
11          any mechanized vehicle, helicopter, and other  
12          aerial device) within such a right-of-way;

13          (2) affects the application, siting, route selec-  
14          tion, right-of-way acquisition, or construction of the  
15          Coolwater-Lugo transmission project, as may be ap-  
16          proved by the California Public Utilities Commission  
17          and the Bureau of Land Management; or

18          (3) prohibits the upgrading or replacement of  
19          any Southern California Edison Company—

20                   (A) energy transport facility, including  
21          such an energy transport facility known on the  
22          date of enactment of this Act as—

23                           (i) Gale-PS 512, Inyokern-McGen-  
24                           Searles, Downs-Inyokern-McGen-Searles,  
25                           Lugo-Mohave, Eldorado-Lugo, Lugo-Pis-

1                   gah No. 1, and Lugo-Pisgah No. 2 trans-  
2                   mission lines or rights-of-way; or

3                   (ii) Patio, Jack Ranch, and Kenworth  
4                   distribution circuits or rights-of-way; or

5                   (B) energy transport facility in a right-of-  
6                   way issued, granted, or permitted by the Sec-  
7                   retary of the Interior adjacent to the energy  
8                   transport facility referred to in subparagraph  
9                   (A).

10           (b) PLANS FOR ACCESS.—The Secretary of the Inte-  
11           rior, in consultation with the Southern California Edison  
12           Company, shall publish plans for regular and emergency  
13           access by the Southern California Edison Company to the  
14           rights-of-way of the Company by the date that is one year  
15           after the later of—

16                   (1) the date of enactment of this Act; and

17                   (2) the date of issuance of a new energy trans-  
18           port facility right-of-way within the National Off-  
19           Highway Vehicle Recreation Areas designated by  
20           subsections (a) and (b) of section 102.

21   **SEC. 105. PACIFIC GAS AND ELECTRIC COMPANY UTILITY**

22                   **FACILITIES AND RIGHTS-OF-WAY.**

23           (a) EFFECT OF TITLE.—Nothing in this title—

24                   (1) terminates—

1 (A) any right-of-way issued, granted, or  
2 permitted to Pacific Gas and Electric Company  
3 (including any predecessor or successor in inter-  
4 est or assign) as of the date of the enactment  
5 of this Act that is located on land included in  
6 the Spangler Hills National Off-Highway Vehi-  
7 cle Recreation Area; or

8 (B) the customary operation, maintenance,  
9 upgrade, repair, relocation within such a right-  
10 of-way, replacement, or other authorized activi-  
11 ties (including the use of any mechanized vehi-  
12 cle, helicopter, and other aerial device) within  
13 such a right-of-way; or

14 (2) prohibits the upgrading or replacement of  
15 any—

16 (A) utility facilities of the Pacific Gas and  
17 Electric Company, including those utility facili-  
18 ties known on the date of enactment of this Act  
19 as—

20 (i) Gas Transmission Line 311 or  
21 rights-of-way; or

22 (ii) Gas Transmission Line 372 or  
23 rights-of-way; or

24 (B) utility facilities of the Pacific Gas and  
25 Electric Company in rights-of-way issued,

1 granted, or permitted by the Secretary of the  
 2 Interior adjacent to a utility facility referred to  
 3 in subparagraph (A).

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

## 13 **TITLE II—WILDERNESS**

### 14 **SEC. 201. PURPOSE.**

15 The purpose of this title is—

16 (1) to designate or expand in law certain wil-  
 17 derness areas in the California Desert Conservation  
 18 Area; and

19 (2) to ensure the conservation and necessary  
 20 management of wildlife and other natural resources  
 21 in the Conservation Area.

### 22 **SEC. 202. DESIGNATION OR EXPANSION OF WILDERNESS** 23 **AREAS IN THE STATE OF CALIFORNIA.**

24 (a) DESIGNATION OR EXPANSION OF WILDERNESS  
 25 IN CALIFORNIA DESERT CONSERVATION AREA.—In ac-

1 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.)  
2 and sections 601 and 603 of the Federal Land Policy and  
3 Management Act of 1976 (43 U.S.C. 1781, 1782), the fol-  
4 lowing public lands in the State of California are des-  
5 ignated as wilderness and either included as part of an  
6 existing wilderness area or made a new component of the  
7 National Wilderness Preservation System:

8           (1) AVAWATZ MOUNTAINS WILDERNESS.—Cer-  
9           tain land in the California Desert Conservation Area  
10           administered by the Bureau of Land Management  
11           comprising approximately 91,800 acres, as generally  
12           depicted on the map entitled “Avawatz Mountains  
13           Wilderness Proposed Wilderness” and dated June  
14           30, 2015, to be known as the Avawatz Mountains  
15           Wilderness.

16           (2) GOLDEN VALLEY WILDERNESS.—Certain  
17           land in the California Desert Conservation Area ad-  
18           ministered by the Bureau of Land Management  
19           comprising approximately 1,260 acres, as generally  
20           depicted on the map entitled “Golden Valley Pro-  
21           posed Wilderness Additions” and dated March 17,  
22           2015, which shall be incorporated in, and shall be  
23           considered to be a part of, the Golden Valley Wilder-  
24           ness designated by section 102(23) of the California

1 Desert Protection Act of 1994 (Public Law 104–  
2 433; 16 U.S.C. 1132 note).

3 (3) KINGSTON RANGE WILDERNESS.—Certain  
4 land in the California Desert Conservation Area ad-  
5 ministered by the Bureau of Land Management  
6 comprising approximately 53,320 acres, as generally  
7 depicted on the map entitled “Kingston Range Pro-  
8 posed Wilderness Additions” and dated February  
9 18, 2015, which shall be incorporated in, and shall  
10 be considered to be a part of, the Kingston Range  
11 Wilderness designated by section 102(32) of the  
12 California Desert Protection Act of 1994 (Public  
13 Law 104–433; 16 U.S.C. 1132 note).

14 (4) SODA MOUNTAINS WILDERNESS.—Certain  
15 land in the California Desert Conservation Area ad-  
16 ministered by the Bureau of Land Management  
17 comprising approximately 79,980 acres, as generally  
18 depicted on the map entitled “Soda Mountains Pro-  
19 posed Wilderness” and dated February 18, 2015, to  
20 be known as the Soda Mountains Wilderness.

21 (5) MALPAIS MESA WILDERNESS.—Certain land  
22 in the California Desert Conservation Area adminis-  
23 tered by the Bureau of Land Management com-  
24 prising approximately 14,810 acres, as generally de-  
25 picted on the map entitled “Malpais Mesa Proposed

1 Wilderness Additions” and dated September 11,  
2 2015, which shall be incorporated in, and shall be  
3 considered to be a part of, the Malpais Mesa Wilder-  
4 ness designated by section 102(35) of the California  
5 Desert Protection Act of 1994 (Public Law 104–  
6 433; 16 U.S.C. 1132 note).

7 (6) GREAT FALLS BASIN WILDERNESS.—

8 (A) DESIGNATION.—Certain land in the  
9 California Desert Conservation Area adminis-  
10 tered by the Bureau of Land Management com-  
11 prising approximately 7,920 acres, as generally  
12 depicted on the map entitled “Great Falls  
13 Basin Proposed Wilderness” and dated August  
14 5, 2015, to be known as the Great Falls Basin  
15 Wilderness.

16 (B) LIMITATION.—Designation of the wil-  
17 derness under subparagraph (A) shall not es-  
18 tablish a Class I Airshed under the Clean Air  
19 Act (42 U.S.C. 7401 et seq.).

20 (b) EXPANSION OF DEATH VALLEY NATIONAL PARK  
21 WILDERNESS.—In accordance with the Wilderness Act  
22 (16 U.S.C. 1131 et seq.) and sections 601 and 603 of the  
23 Federal Land Policy and Management Act of 1976 (43  
24 U.S.C. 1781, 1782), the following land in the State of  
25 California is designated as wilderness and included as part

1 of an existing wilderness area of the National Wilderness  
2 Preservation System:

3           (1) DEATH VALLEY NATIONAL PARK WILDER-  
4           NESS ADDITIONS-NORTH EUREKA VALLEY.—Certain  
5           land in the California Desert Conservation Area ad-  
6           ministered by the Director of the National Park  
7           Service, comprising approximately 11,496 acres, as  
8           generally depicted on the map entitled “Death Valley  
9           National Park Proposed Wilderness Area-North Eu-  
10          reka Valley”, numbered 143/100,082D, and dated  
11          August 2015, which shall be considered to be a part  
12          of the Death Valley National Park Wilderness.

13           (2) DEATH VALLEY NATIONAL PARK WILDER-  
14           NESS ADDITIONS-IBEX.—Certain land in the Cali-  
15           fornia Desert Conservation Area administered by the  
16           Director of the National Park Service comprising  
17           approximately 23,650 acres, as generally depicted on  
18           the map entitled “Death Valley National Park Pro-  
19           posed Wilderness Area-Ibex”, numbered 143/  
20           100,081C, and dated October 7, 2014, which shall  
21           be considered to be a part of the Death Valley Na-  
22           tional Park Wilderness.

23           (3) DEATH VALLEY NATIONAL PARK WILDER-  
24           NESS ADDITIONS-PANAMINT VALLEY.—Certain land  
25           in the California Desert Conservation Area adminis-

1 tered by the Director of the National Park Service,  
2 comprising approximately 4,807 acres, as generally  
3 depicted on the map entitled “Death Valley National  
4 Park Proposed Wilderness Area-Panamint Valley”,  
5 numbered 143/100,083C, and dated October 7,  
6 2014, which shall be considered to be a part of the  
7 Death Valley National Park Wilderness.

8 (4) DEATH VALLEY NATIONAL PARK WILDER-  
9 NESS ADDITIONS-WARM SPRINGS.—Certain land in  
10 the California Desert Conservation Area adminis-  
11 tered by the Director of the National Park Service,  
12 comprising approximately 10,485 acres, as generally  
13 depicted on the map entitled “Death Valley National  
14 Park Proposed Wilderness Area-Warm Spring Can-  
15 yon/Galena Canyon”. Numbered 143/100,084D, and  
16 dated August 2015, which shall be considered to be  
17 a part of the Death Valley National Park Wilder-  
18 ness.

19 (5) DEATH VALLEY NATIONAL PARK WILDER-  
20 NESS ADDITIONS-AXE HEAD.—Certain land in the  
21 California Desert Conservation Area administered by  
22 the Director of the National Park Service, com-  
23 prising approximately 8,638 acres, as generally de-  
24 picted on the map entitled “Death Valley National  
25 Park Proposed Wilderness Area-Axe Head”, num-

1 bered 143/100,085C, and dated October 7, 2014,  
2 which shall be considered to be a part of the Death  
3 Valley National Park Wilderness.

4 (6) DEATH VALLEY NATIONAL PARK WILDER-  
5 NESS ADDITIONS-BOWLING ALLEY.—Certain land in  
6 the California Desert Conservation Area adminis-  
7 tered by the Director of the National Park Service,  
8 comprising approximately 28,923 acres, as generally  
9 depicted on the map entitled “Death Valley National  
10 Park Proposed Park Expansion and Wilderness”,  
11 numbered 143/128,606, and dated May 14, 2015,  
12 which shall be considered to be a part of the Death  
13 Valley National Park Wilderness.

14 (c) EXPANSION OF SAN GORGONIO WILDERNESS.—

15 (1) DESIGNATION.—In accordance with the  
16 Wilderness Act (16 U.S.C. 1131 et seq.), certain  
17 land in San Bernardino National Forest in the State  
18 of California, comprising approximately 5,570 acres,  
19 as generally depicted on the map entitled “Proposed  
20 Sand to Snow National Monument” and dated Au-  
21 gust 4, 2015, is designated as wilderness and in-  
22 cluded as part of the San Gorgonio Wilderness of  
23 the National Wilderness Preservation System.

24 (2) FIRE MANAGEMENT AND RELATED ACTIVI-  
25 TIES.—

1           (A) IN GENERAL.—The Secretary of Agri-  
2 culture may carry out such activities in the wil-  
3 derness designated by paragraph (1) as are nec-  
4 essary for the control of fire, insects, and dis-  
5 ease, in accordance with section 4(d)(1) of the  
6 Wilderness Act (16 U.S.C. 1133(d)(1)) and  
7 House Report 98–40 of the 98th Congress.

8           (B) FUNDING PRIORITIES.—Nothing in  
9 this subsection limits the provision of any fund-  
10 ing for fire or fuel management in the wilder-  
11 ness designated by paragraph (1).

12           (C) REVISION AND DEVELOPMENT OF  
13 LOCAL FIRE MANAGEMENT PLANS.—As soon as  
14 practicable after the date of the enactment of  
15 this Act, the Secretary of Agriculture shall  
16 amend the local fire management plans that  
17 apply to the wilderness designated by para-  
18 graph (1).

19           (D) ADMINISTRATION.—In accordance  
20 with subparagraph (A) and other applicable  
21 Federal law, to ensure a timely and efficient re-  
22 sponse to fire emergencies in the wilderness  
23 designated by paragraph (1), the Secretary of  
24 Agriculture shall—

1 (i) not later than one year after the  
2 date of the enactment of this Act, establish  
3 agency approval procedures (including ap-  
4 propriate delegations of authority to the  
5 Forest Supervisor) for responding to fire  
6 emergencies in the wilderness designated  
7 by paragraph (1); and

8 (ii) enter into agreements with appro-  
9 priate State or local firefighting agencies  
10 relating to the wilderness.

11 (d) MAPS; LEGAL DESCRIPTIONS.—

12 (1) IN GENERAL.—As soon as practicable after  
13 the date of enactment of this Act, the Secretary of  
14 the Interior (and, with respect to the wilderness des-  
15 ignated by subsection (c), the Secretary of Agri-  
16 culture) (in this title referred to as the “Secretary  
17 concerned”) shall file a map and legal description of  
18 each wilderness area and wilderness addition des-  
19 ignated by this section with—

20 (A) the Committee on Natural Resources  
21 of the House of Representatives; and

22 (B) the Committee on Energy and Natural  
23 Resources of the Senate.

24 (2) FORCE OF LAW.—A map and legal descrip-  
25 tion filed under paragraph (1) shall have the same

1 force and effect as if included in this Act, except  
2 that the Secretary concerned may correct errors in  
3 the maps 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 office of the Secretary concerned.

8 **SEC. 203. MANAGEMENT.**

9 (a) ADMINISTRATION.—Subject to valid existing  
10 rights, the land designated as wilderness or as a wilder-  
11 ness addition by section 202 shall be administered by the  
12 Secretary concerned in accordance with this title and the  
13 Wilderness Act (16 U.S.C. 1131 et seq.), except that any  
14 reference in that Act to the effective date shall be consid-  
15 ered to be a reference to the date of the enactment of  
16 this Act.

17 (b) COOPERATIVE MANAGEMENT AGREEMENT WITH  
18 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE.—  
19 Not later than 180 days after the date of the enactment  
20 of this Act, the Secretary of the Interior shall enter into  
21 a cooperative management agreement with the California  
22 Department of Fish and Wildlife for the purposes of man-  
23 aging wilderness areas in the California Desert Conserva-  
24 tion Area to ensure the conservation and necessary man-  
25 agement of wildlife and other natural resources in the

1 Conservation Area. Such cooperative agreement shall in-  
2 clude and ensure necessary wildlife water development and  
3 maintenance as considered necessary by the California De-  
4 partment of Fish and Wildlife.

5 (c) CERTAIN WATER DEVELOPMENT PROJECTS AU-  
6 THORIZED.—Nothing in this title or the Wilderness Act  
7 (16 U.S.C. 1131 et seq.) shall have the effect of prohib-  
8 iting the placement or maintenance of water development  
9 projects on the land designated as wilderness or as a wil-  
10 derness addition by section 202 for the purpose of the con-  
11 servation or management of wildlife.

12 (d) AGENCY APPROVAL PROCEDURES.—Not later  
13 than one year after the date of the enactment of this Act,  
14 the Secretary concerned shall establish agency approval  
15 procedures for the maintenance of water development  
16 projects and other wildlife management activities on the  
17 land designated as wilderness or as a wilderness addition  
18 by section 202.

19 (e) NO EFFECT ON ADJACENT LAND.—

20 (1) NO BUFFER ZONES OR REGULATION.—

21 Nothing in this title—

22 (A) creates any protective perimeter or  
23 buffer zone around land designated as wilder-  
24 ness or as a wilderness addition by section 202;

25 or

1 (B) requires additional regulation of activi-  
2 ties on land outside the boundary of the land  
3 designated as wilderness or as a wilderness ad-  
4 dition by such section.

5 (2) ACTIVITIES OUTSIDE WILDERNESS  
6 AREAS.—The fact that an activity (including mili-  
7 tary activities) or use on land outside the boundary  
8 of the land designated as wilderness or as a wilder-  
9 ness addition by section 202 can be seen, heard, or  
10 detected within the wilderness area shall not pre-  
11 clude or restrict the activity or use outside the  
12 boundary of the wilderness area.

13 (f) NO EFFECT ON CERTAIN PERMITTING PRO-  
14 CEEDINGS.—

15 (1) IN GENERAL.—In any permitting pro-  
16 ceeding (including a review under the National Envi-  
17 ronmental Policy Act of 1969 (42 U.S.C. 4321 et  
18 seq.)) conducted with respect to a project described  
19 in paragraph (2) that is formally initiated through  
20 a notice in the Federal Register before December  
21 31, 2013, the consideration of any visual, noise, or  
22 other impacts of the project on land designated as  
23 wilderness or as a wilderness addition by section 202  
24 shall be conducted based on the status of the land  
25 before designation as wilderness.

1           (2) DESCRIPTION OF PROJECTS.—A project re-  
2           ferred to in paragraph (1) is a renewable energy  
3           project or associated energy transport facility  
4           project—

5                   (A) for which the Bureau of Land Man-  
6                   agement has received a right-of-way use appli-  
7                   cation on or before the date of enactment of  
8                   this Act; and

9                   (B) that is located outside the boundary of  
10                  land designated as wilderness or as a wilderness  
11                  addition by section 202.

12          (g) NO EFFECT ON MILITARY OPERATIONS.—Noth-  
13          ing in this Act alters any authority of the Secretary of  
14          Defense to conduct any military operations at desert in-  
15          stallations, facilities, and ranges of the State of California  
16          authorized under any other provision of law.

17          (h) NO EFFECT ON ENERGY TRANSPORT FACILI-  
18          TIES.—In the case of land designated as wilderness or as  
19          a wilderness addition by section 202, nothing in this title  
20          affects any land, interest in land, or customary operation,  
21          maintenance, repair, or replacement activity carried out  
22          on, over, or under land or within a right-of-way, including  
23          access to such right-of-way, granted to, owned by, or con-  
24          trolled by Southern California Edison Company, Pacific  
25          Gas and Electric Company, or Southern California Gas

1 Company pursuant to law or legal right so long as the  
2 activity is conducted in a manner that minimizes the im-  
3 pact on wilderness resources.

4 **SEC. 204. RELEASE OF WILDERNESS STUDY AREAS.**

5 (a) FINDING AND DIRECTION.—Congress finds and  
6 directs that the Bureau of Land Management land within  
7 any portion of a wilderness study area described in sub-  
8 section (b) that is not designated as a wilderness area or  
9 wilderness addition by section 202 or any other Act en-  
10 acted before the date of enactment of this Act—

11 (1) has been adequately studied for wilderness  
12 character and wilderness designation pursuant to  
13 sections 201 and 603 of the Federal Land Policy  
14 and Management Act of 1976 (43 U.S.C. 1711 and  
15 1782); and

16 (2) is no longer subject to any requirement per-  
17 taining to the management of wilderness, wilderness  
18 character, wilderness study areas, or areas of envi-  
19 ronmental concern.

20 (b) DESCRIPTION OF STUDY AREAS.—The study  
21 areas referred to in subsection (a) are the following:

- 22 (1) Cady Mountains Wilderness Study Area.
- 23 (2) Kingston Range Wilderness Study Area.
- 24 (3) Avawatz Mountain Wilderness Study Area.
- 25 (4) Soda Mountains Wilderness Study Area.

1 (5) Great Falls Basin Wilderness Study Area.

2 (6) White Mountains Wilderness Study Area.

3 (7) Crater Mountain Wilderness Study Area.

4 (8) Symmes Creek Wilderness Study Area.

5 (9) Independence Creek Wilderness Study Area.

6 (10) Southern Inyo Wilderness Study Area.

7 (11) Cerro Gordo Wilderness Study Area.

8 (12) Death Valley 17 Wilderness Study Area.

9 (c) RELEASE AND SUBSEQUENT MANAGEMENT.—

10 Any public land described in subsection (a) that is not des-  
11 ignated as wilderness by this title—

12 (1) is no longer subject to section 603(c) of the  
13 Federal Land Policy and Management Act of 1976  
14 (43 U.S.C. 1782(c));

15 (2) shall be managed in accordance with—

16 (A) land management plans adopted under  
17 section 202 of the Federal Land Policy and  
18 Management Act of 1976 (43 U.S.C. 1712);

19 and

20 (B) cooperative conservation agreements in  
21 existence on the date of enactment of this Act;

22 and

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

1 **SEC. 205. TREATMENT OF CHERRY-STEMMED ROADS.**

2 (a) DEFINITION OF CHERRY-STEMMED ROAD.—In  
3 this section, the term “cherry-stemmed road” means a  
4 road or trail that is excluded from a wilderness area or  
5 wilderness addition designated by section 202 by a non-  
6 wilderness corridor having designated wilderness on both  
7 sides, as generally depicted on the maps described in such  
8 section.

9 (b) PROHIBITION ON CLOSURE OR TRAVEL RESTRIC-  
10 TIONS ON CHERRY-STEMMED ROADS.—The Secretary  
11 concerned shall not—

12 (1) close any cherry-stemmed road that is open  
13 to the public as of the date of the enactment of this  
14 Act;

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

19 (3) prohibit mechanized access on a cherry-  
20 stemmed road that is open to the public for mecha-  
21 nized access as of the date of the enactment of this  
22 Act.

23 (c) RESOURCE PROTECTION OR PUBLIC SAFETY EX-  
24 CEPTIONS.—Subsection (b) shall not apply to a cherry-  
25 stemmed road if the Secretary concerned determines that  
26 a closure or traffic restriction of the cherry-stemmed road

1 is necessary for purposes of significant resource protection  
2 or public safety.

3           **TITLE III—NATIONAL PARK**  
4                   **SYSTEM ADDITIONS**

5   **SEC. 301. DEATH VALLEY NATIONAL PARK BOUNDARY RE-**  
6                   **VISION.**

7           (a) IN GENERAL.—The boundary of Death Valley  
8 National Park is adjusted to include—

9                   (1) the approximately 28,923 acres of Bureau  
10           of Land Management land in San Bernardino Coun-  
11           ty, California, abutting the southern end of the  
12           Death Valley National Park that lies between Death  
13           Valley National Park to the north and Ft. Irwin  
14           Military Reservation to the south and which runs  
15           approximately 34 miles from west to east, as de-  
16           picted on the map entitled “Death Valley National  
17           Park Proposed Avawatz Mountains Wilderness with  
18           Proposed Park Expansion”, numbered 143/128,605,  
19           and dated May 14, 2015; and

20                   (2) the approximately 6,369 acres of Bureau of  
21           Land Management land in Inyo County, California,  
22           located in the northeast area of Death Valley Na-  
23           tional Park that is within, and surrounded by, land  
24           under the jurisdiction of the Director of the Na-  
25           tional Park Service, as depicted on the map entitled

1 “Death Valley National Park Proposed Boundary  
2 Addition-Crater”, numbered 143/100,079C, and  
3 dated October 7, 2014.

4 (b) AVAILABILITY OF MAP.—The maps described in  
5 paragraphs (1) and (2) of subsection (a) shall be on file  
6 and available for public inspection in the appropriate of-  
7 fices of the National Park Service.

8 (c) ADMINISTRATION.—

9 (1) IN GENERAL.—The Secretary of the Inte-  
10 rior (referred to in this title as the “Secretary”)  
11 shall administer any land added to Death Valley Na-  
12 tional Park under subsection (a)—

13 (A) as part of Death Valley National Park;  
14 and

15 (B) in accordance with applicable laws (in-  
16 cluding regulations).

17 (2) MEMORANDUM OF UNDERSTANDING WITH  
18 INYO COUNTY.—Not later than 180 days after the  
19 date of enactment of this Act, the Secretary shall  
20 enter into a memorandum of understanding with  
21 Inyo County, California, to permit operationally fea-  
22 sible, ongoing access and use (including, but not lim-  
23 ited to, material storage as well as excavation) to  
24 gravel pits in existence as of that date along Saline  
25 Valley Road within Death Valley National Park for

1 road maintenance and repairs in accordance with ap-  
2 plicable laws (including regulations).

3 (d) SOUTHERN CALIFORNIA EDISON COMPANY EN-  
4 ERGY TRANSPORT FACILITIES AND RIGHTS-OF-WAY.—

5 (1) IN GENERAL.—Nothing in this section ter-  
6 minates—

7 (A) any right-of-way issued, granted, or  
8 permitted to the Southern California Edison  
9 Company (including any predecessor or suc-  
10 cessor in interest or assign) as of the date of  
11 the enactment of this Act that is located on  
12 land described in paragraphs (1) and (2) of  
13 subsection (a); or

14 (B) the customary operation, maintenance,  
15 upgrade, repair, relocation within such a right-  
16 of-way, replacement, or other authorized energy  
17 transport facility activities in such a right-of-  
18 way, including, at a minimum, the use of  
19 mechanized vehicles, helicopters, or other aerial  
20 devices.

21 (2) UPGRADES AND REPLACEMENTS.—Nothing  
22 in this section prohibits the upgrading or replace-  
23 ment of—

24 (A) Southern California Edison Company  
25 energy transport facilities; 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’s  
4 energy transport facilities within Death Valley  
5 National Park.

6 (3) PUBLICATION OF PLANS.—Not later than  
7 one year after the date of enactment of this Act or  
8 the date of the issuance of a new energy transport  
9 facility right-of-way within Death Valley National  
10 Park, whichever is earlier, the Secretary, in con-  
11 sultation with the Southern California Edison Com-  
12 pany, shall publish plans for regular and emergency  
13 access by the Southern California Edison Company  
14 to the rights-of-way of the Southern California Edi-  
15 son Company within Death Valley National Park.

16 **SEC. 302. JOSHUA TREE NATIONAL PARK BOUNDARY REVI-**  
17 **SION, VISITOR CENTER, AND SALE OF FED-**  
18 **ERAL LAND.**

19 Title IV of the California Desert Protection Act of  
20 1994 (Public Law 103–433) is amended by adding at the  
21 end the following new sections:

22 **“SEC. 408. JOSHUA TREE NATIONAL PARK BOUNDARY REVI-**  
23 **SION.**

24 “(a) IN GENERAL.—The boundary of the Joshua  
25 Tree National Park is adjusted to include the 2,879 acres

1 of land managed by Director of the Bureau of Land Man-  
2 agement that are contiguous at several different places to  
3 the northern boundaries of Joshua Tree National Park in  
4 the northwest section of the Park, as depicted on the map  
5 entitled ‘Joshua Tree National Park Proposed Boundary  
6 Addition’, numbered 156/100,077, and dated August  
7 2009.

8 “(b) ADDITIONAL LANDS TO BE ACQUIRED.—The  
9 Secretary may acquire the 1,639 acres of land from the  
10 Mojave Desert Land Trust that are contiguous at several  
11 different places to the northern boundaries of Joshua Tree  
12 National Park in the northwest section of the Park, as  
13 depicted on the map entitled ‘Mojave Desert Land Trust  
14 National Park Service Additions’, numbered 156/126,376,  
15 and dated September 2014. After such lands are acquired  
16 by the Secretary, the boundary of the Joshua Tree Na-  
17 tional Park shall be adjusted to include those lands.

18 “(c) AVAILABILITY OF MAPS.—The map described in  
19 subsection (a) and the map depicting the 25 acres de-  
20 scribed in subsection (d)(2) shall be on file and available  
21 for public inspection in the appropriate offices of the Na-  
22 tional Park Service.

23 “(d) ADMINISTRATION.—

24 “(1) IN GENERAL.—The Secretary shall admin-  
25 ister any land added to the Joshua Tree National

1 Park under subsection (a) and the additional land  
2 described in paragraph (2)—

3 “(A) as part of Joshua Tree National  
4 Park; and

5 “(B) in accordance with applicable laws  
6 (including regulations).

7 “(2) DESCRIPTION OF ADDITIONAL LAND.—The  
8 additional land referred to in paragraph (1) is the  
9 25 acres of land—

10 “(A) depicted on the map entitled ‘Joshua  
11 Tree National Park Boundary Adjustment  
12 Map’, numbered 156/80,049, and dated April 1,  
13 2003;

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

17 “(C) more particularly described as lots  
18 26, 27, 28, 33, and 34 in sec. 34, T. 1 N., R.  
19 8 E., San Bernardino Meridian.

20 “(e) SOUTHERN CALIFORNIA EDISON COMPANY EN-  
21 ERGY TRANSPORT FACILITIES AND RIGHTS-OF-WAY.—

22 “(1) IN GENERAL.—Nothing in this section ter-  
23 minates—

24 “(A) any right-of-way issued, granted, or  
25 permitted to Southern California Edison Com-

1           pany (including any predecessor or successor in  
2           interest or assign) as of the date of the enact-  
3           ment of this Act that is located on land de-  
4           scribed in subsections (a) and (b); or

5           “(B) the customary operation, mainte-  
6           nance, upgrade, repair, relocation within such a  
7           right-of-way, replacement, or other authorized  
8           energy transport facility activities (including the  
9           use of any mechanized vehicle, helicopter, and  
10          other aerial device) within such a right-of-way.

11          “(2) UPGRADES AND REPLACEMENTS.—Noth-  
12          ing in this section prohibits the upgrading or re-  
13          placement of—

14                 “(A) Southern California Edison Company  
15                 energy transport facilities, including the energy  
16                 transport facilities referred to as the Jellystone,  
17                 Burnt Mountain, Whitehorn, Allegra, and Utah  
18                 distribution circuits rights-of-way; or

19                 “(B) an energy transport facility in rights-  
20                 of-way issued, granted, or permitted by the Sec-  
21                 retary adjacent to Southern California Edison’s  
22                 energy transport facilities within Joshua Tree  
23                 National Park.

24          “(3) PUBLICATION OF PLANS.—Not later than  
25          the date that is one year after the date of enactment

1 of this section or the issuance of a new energy trans-  
2 port facility right-of-way within the Joshua Tree Na-  
3 tional Park, whichever is earlier, the Secretary, in  
4 consultation with the Southern California Edison  
5 Company, shall publish plans for regular and emer-  
6 gency access by the Southern California Edison  
7 Company to the rights-of-way of the Southern Cali-  
8 fornia Edison Company within Joshua Tree Na-  
9 tional Park.

10 **“SEC. 409. VISITOR CENTER.**

11 “(a) IN GENERAL.—Subject to subsection (d), the  
12 Secretary may acquire not more than 5 acres of land and  
13 interests in land, and improvements on the land and inter-  
14 ests, outside the boundaries of Joshua Tree National  
15 Park, in the unincorporated village of Joshua Tree, for  
16 the purpose of operating a visitor center. The land and  
17 facilities so acquired may include the property owned (as  
18 of the date of enactment of this section) by the Joshua  
19 Tree National Park Association and commonly referred to  
20 as the ‘Joshua Tree National Park Visitor Center’.

21 “(b) BOUNDARY.—Upon acquisition of the land au-  
22 thorized for acquisition by subsection (a), the Secretary  
23 shall modify the boundary of Joshua Tree National Park  
24 to include the land acquired under this section as a non-  
25 contiguous parcel.



1 Boundary Addition”, numbered 170/100,199, and  
2 dated August 2009.

3 (b) FUTURE MOJAVE NATIONAL PRESERVE ADDI-  
4 TIONS.—The boundary of the Mojave National Preserve  
5 shall be adjusted to include the approximately 13,250  
6 acres of Bureau of Land Management land depicted as  
7 “Future Mojave National Preserve Additions” on the map  
8 entitled “Mojave National Preserve Proposed Additions”,  
9 numbered 170/129,826, and dated September 2015, upon  
10 the earlier of the following:

11 (1) The termination of all mining and mining-  
12 related activities involving Castle Mountain Mine  
13 and the completion of all reclamation in response to  
14 such activities, as determined by the Secretary of the  
15 Interior.

16 (2) The end of the first period of 20 consecu-  
17 tive years occurring after the date of the enactment  
18 of this Act during which no legally permissible com-  
19 mercial mining activities have occurred pursuant to  
20 a plan of development for the Castle Mountain Mine  
21 approved by the Bureau of Land Management.

22 (c) AVAILABILITY OF MAPS.—The maps described in  
23 subsections (a) and (b) shall be on file and available for  
24 public inspection in the appropriate offices of the National  
25 Park Service.

1 (d) ADMINISTRATION.—

2 (1) IN GENERAL.—Except as otherwise pro-  
3 vided in this section, the Secretary of the Interior  
4 shall administer any land added to Mojave National  
5 Preserve under this section—

6 (A) as part of the Mojave National Pre-  
7 serve; and

8 (B) in accordance with applicable laws (in-  
9 cluding regulations).

10 (2) MEMORANDUM OF UNDERSTANDING WITH  
11 CALIFORNIA DEPARTMENT OF FISH AND WILD-  
12 LIFE.—Not later than 180 days after the date of the  
13 enactment of this Act, the Secretary of the Interior  
14 shall enter into a memorandum of understanding  
15 with the California Department of Fish and Wildlife  
16 to permit operationally feasible, ongoing access to  
17 the land added to Mojave National Preserve under  
18 this section for the placement and maintenance of  
19 water development projects as considered necessary  
20 for wildlife conservation.

21 (e) PROTECTION OF EXISTING RIGHTS.—

22 (1) EFFECT ON VALID EXISTING RIGHTS.—  
23 Nothing in this section shall affect valid existing  
24 rights or preclude, or prevent or inhibit mining or  
25 mining-related activities (including water develop-

1 ment) authorized under any Bureau of Land Man-  
2 agement approved plan of development, throughout  
3 all phases of mining including completion of final  
4 reclamation, for the lands described in subsections  
5 (a)(1) and (b).

6 (2) EFFECT ON PRIVATE PROPERTY RIGHTS.—  
7 Nothing in this section shall affect any private prop-  
8 erty right (including a water development right)  
9 within the boundaries of the Mojave National Pre-  
10 serve, as adjusted by this section.

11 (3) EFFECT ON CASTLE MOUNTAIN MINE  
12 RIGHTS AND OPERATIONS.—

13 (A) IN GENERAL.—Nothing in this section  
14 shall impair existing rights relating to the Cas-  
15 tle Mountain Mine, nor shall anything in this  
16 title create or impose any additional regulatory  
17 or administrative requirements relating to the  
18 permitting, development, and operation of all  
19 phases of the Castle Mountain Mine.

20 (B) PIPELINE OR WELL.—Nothing in  
21 chapter 1007 of title 54, United States Code  
22 (formerly known as the Mining in the National  
23 Parks Act of 1976), the California Desert Pro-  
24 tection Act of 1994 (Public Law 103–433), the  
25 implementing regulations of such laws, or any

1 other Federal law or regulation shall constitute  
2 a bar to the lawful issuance of any right, enti-  
3 tlement, or approval necessary for the location  
4 and use of any pipeline or well necessary for  
5 Castle Mountain Mining Company to conduct  
6 continued mining operations.

7 (f) SOUTHERN CALIFORNIA EDISON COMPANY EN-  
8 ERGY TRANSPORT FACILITIES AND RIGHTS-OF-WAY.—

9 (1) IN GENERAL.—Nothing in this section ter-  
10 minates—

11 (A) any right-of-way issued, granted, or  
12 permitted to the Southern California Edison  
13 Company (including any predecessor or suc-  
14 cessor in interest or assign) as of the date of  
15 the enactment of this Act that is located on  
16 land described in subsections (a) and (b); or

17 (B) the customary operation, maintenance,  
18 upgrade, repair, relocation within such a right-  
19 of-way, replacement, or other authorized energy  
20 transport facility activities in such a right-of-  
21 way, including, at a minimum, the use of  
22 mechanized vehicles, helicopters, or other aerial  
23 devices.

1           (2) UPGRADES AND REPLACEMENTS.—Nothing  
2 in this section prohibits the upgrading or replace-  
3 ment of—

4           (A) Southern California Edison Company  
5 energy transport facilities; or

6           (B) an energy transport facility in rights-  
7 of-way issued, granted, or permitted by the Sec-  
8 retary adjacent to Southern California Edison’s  
9 energy transport facilities within the Mojave  
10 National Preserve.

11          (3) PUBLICATION OF PLANS.—Not later than  
12 one year after the date of enactment of this Act or  
13 the date of the issuance of a new energy transport  
14 facility right-of-way within the Mojave National Pre-  
15 serve, whichever is earlier, the Secretary of the Inte-  
16 rior, in consultation with the Southern California  
17 Edison Company, shall publish plans for regular and  
18 emergency access by the Southern California Edison  
19 Company to the rights-of-way of the Southern Cali-  
20 fornia Edison Company within the Mojave National  
21 Preserve.

22          (g) NEW RIGHTS-OF-WAY.—

23           (1) RETAINED BUREAU OF LAND MANAGEMENT  
24 AUTHORITY.—Consideration of any right-of-way ap-  
25 plication within lands described in subsection (a)(1)

1 for the purpose of providing water resources nec-  
2 essary for the operation of the Castle Mountain  
3 Mine shall remain within the jurisdiction and au-  
4 thority of the Bureau of Land Management,  
5 throughout the development of all phases of the Cas-  
6 tle Mountain Mine.

7 (2) CONSIDERATION OF APPLICATIONS.—The  
8 Director of the Bureau of Land Management shall  
9 consider any proposed plan of development, modi-  
10 fications to the plan, and associated right-of-way ap-  
11 plications for the Castle Mountain Mine in accord-  
12 ance with the Federal Land Policy and Management  
13 Act of 1976 (43 U.S.C. 1701 et seq.) and any other  
14 laws (including regulations) applicable to the land  
15 described in subsection (b) prior to the date of en-  
16 actment of this Act.

17 (3) EXPIRATION OF AUTHORITY.—The author-  
18 ity of the Director of the Bureau of Land Manage-  
19 ment described in this subsection shall terminate at  
20 the end of the first period of 20 consecutive years  
21 occurring after the date of the enactment of this Act  
22 during which no legally permissible commercial min-  
23 ing activities have occurred pursuant to a plan of de-  
24 velopment for the Castle Mountain Mine approved  
25 by the Bureau of Land Management.

1           (4) TREATMENT OF NEW RIGHTS-OF-WAY.—

2           Any new right-of-way approved by the Bureau of  
3           Land Management under this subsection shall be  
4           considered a valid existing right-of-way only if such  
5           right-of-way is included in an approved plan of de-  
6           velopment for Castle Mountain Mine.

7           (5) RIGHTS-OF-WAY FOR WATER ACCESS.—Fol-

8           lowing any review required under the National Envi-  
9           ronmental Policy Act of 1969 (42 U.S.C. 4321 et  
10          seq.) and other applicable laws and regulations, the  
11          National Park Service and all other Federal agencies  
12          with jurisdiction, shall consider and approve—

13                 (A) the application for and receipt of any  
14                 rights-of-way, other necessary approvals and en-  
15                 titlements, or both to access and traverse exist-  
16                 ing lands within the Mojave National Preserve  
17                 in order to access water sources located in wa-  
18                 tersheds outside of the Preserve; and

19                 (B) the application and establishment of  
20                 underground waterways throughout the Pre-  
21                 serve.

22          (h) FUTURE WATER FACILITIES.—

23                 (1) SEARCH FOR ALTERNATIVE WATER  
24                 SOURCES.—Subject to paragraphs (2) and (3), Cas-  
25                 tle Mountain Mining Company shall have the right

1 to conduct reconnaissance and drilling within the  
2 lands described in subsection (a)(1) to identify po-  
3 tential alternative sources of water for development  
4 of all phases of the Castle Mountain Mine.

5 (2) RESPONSE TO FINDING WATER SUPPLIES.—

6 If adequate water supplies are identified for the Cas-  
7 tle Mountain Mine that are in excess of existing  
8 water rights in the Mojave National Preserve, Castle  
9 Mountain Mining Company may propose the location  
10 of new pipelines, including possible underground  
11 pipelines, and well sites, as appropriate, to the Sec-  
12 retary of the Interior and all other Federal agencies  
13 with jurisdiction. The approval of any new pipeline  
14 or well site location proposed by Castle Mountain  
15 Mining Company under this paragraph shall be sub-  
16 ject to review under the National Environmental  
17 Policy Act of 1969 (42 U.S.C. 4321 et seq.) and  
18 other applicable laws and regulations.

19 (3) CONCLUSION.—If approval of a new pipe-

20 line or well site location is obtained under paragraph  
21 (2), Castle Mountain Mining Company obtains any  
22 necessary entitlements from the State of California  
23 for use of the water resources, and the combination  
24 of new pipelines and well sites will provide Castle  
25 Mountain Mining Company with adequate water

1 supplies for development of all phases of the Castle  
2 Mountain Mine, Castle Mountain will then relinquish  
3 and quitclaim to the United States any and all inter-  
4 ests in its pipeline and well site in existence as of  
5 the date of the enactment of this Act.

6 **TITLE IV—DESIGNATION OF**  
7 **WILD, SCENIC, AND REC-**  
8 **REATIONAL RIVERS**

9 **SEC. 401. DESIGNATION OF WILD, SCENIC, AND REC-**  
10 **REATIONAL RIVERS.**

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

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

15 “(A)(i) The approximately 1.4-mile seg-  
16 ment of the Amargosa River in the State of  
17 California, from the private property boundary  
18 in sec. 19, T. 22 N., R. 7 E., to 100 feet down-  
19 stream of Highway 178, to be administered by  
20 the Secretary of the Interior as a scenic river  
21 as an addition to the wild and scenic river seg-  
22 ments of the Amargosa River on publication by  
23 the Secretary of a notice in the Federal Reg-  
24 ister that sufficient inholdings within the  
25 boundaries of the segments have been acquired

1 as scenic easements or in fee title to establish  
2 a manageable addition to those segments.

3 “(ii) The approximately 6.1-mile segment  
4 of the Amargosa River in the State of Cali-  
5 fornia, from 100 feet downstream of the State  
6 Highway 178 crossing to 100 feet upstream of  
7 the Tecopa Hot Springs Road crossing, to be  
8 administered by the Secretary of the Interior as  
9 a scenic river.”; and  
10 (2) by adding at the end the following:

11 “(213) SURPRISE CANYON CREEK, CALI-  
12 FORNIA.—

13 “(A) IN GENERAL.—The following seg-  
14 ments of Surprise Canyon Creek in the State of  
15 California, to be administered by the Secretary  
16 of the Interior:

17 “(i) The approximately 5.3 miles of  
18 Surprise Canyon Creek from the con-  
19 fluence of Frenchman’s Canyon and Water  
20 Canyon to 100 feet upstream of Chris  
21 Wicht Camp, as a wild river.

22 “(ii) The approximately 1.8 miles of  
23 Surprise Canyon Creek from 100 feet up-  
24 stream of Chris Wicht Camp to the south-

1                   ern boundary of sec. 14, T. 21 N., R. 44  
2                   E., as a recreational river.

3                   “(B) EFFECT ON HISTORIC MINING STRUC-  
4                   TURES.—Nothing in this paragraph affects the  
5                   historic mining structures associated with the  
6                   former Panamint Mining District.

7                   “(C) EFFECT ON SURPRISE CANYON  
8                   ROAD.—Nothing in this paragraph shall be con-  
9                   strued—

10                   “(i) to restrict continued access to  
11                   Chris Wicht Camp along Surprise Canyon  
12                   Road; or

13                   “(ii) to prevent Inyo County, Cali-  
14                   fornia, from maintaining and repairing  
15                   Surprise Canyon Road, up to the boundary  
16                   of the wild river 100 feet upstream of  
17                   Chris Wicht Camp, in accordance with ap-  
18                   plicable laws and regulations.

19                   “(214) DEEP CREEK, CALIFORNIA.—

20                   “(A) IN GENERAL.—The following seg-  
21                   ments of Deep Creek in the State of California,  
22                   to be administered by the Secretary of Agri-  
23                   culture:

24                   “(i) The approximately 6.5-mile seg-  
25                   ment from 0.125 mile downstream of the

1 Rainbow Dam site in sec. 33, T. 2 N., R.  
2 2 W., to 0.25 miles upstream of the Road  
3 3N34 crossing, as a wild river.

4 “(ii) The 0.5-mile segment from 0.25  
5 mile upstream of the Road 3N34 crossing  
6 to 0.25 mile downstream of the Road  
7 3N34 crossing, as a scenic river.

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

12 “(iv) The 0.5-mile segment from 0.25  
13 miles upstream of the Trail 2W01 crossing  
14 to 0.25 mile downstream of the Trail  
15 2W01 crossing, as a scenic river.

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

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

1                   “(vii) The 3.5-mile segment of the  
2                   Holcomb Creek from 0.25 miles down-  
3                   stream of Holcomb Crossing to the Deep  
4                   Creek confluence, as a wild river.

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

7                   “(i) the operations of the Snow Valley  
8                   Ski Resort; or

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

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

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

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

1           “(C) The 1-mile segment of the South  
2 Fork Whitewater River from the confluence of  
3 the River with the East Fork to the section line  
4 between sections 32 and 33, T. 1 S., R. 2 E.,  
5 as a wild river.

6           “(D) The 1-mile segment of the South  
7 Fork Whitewater River from the section line be-  
8 tween sections 32 and 33, T. 1 S., R. 2 E., to  
9 the section line between sections 33 and 34, T.  
10 1 S., R. 2 E., as a recreational river.

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

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

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

1     **TITLE V—BLACK LAVA BUTTE**  
2             **AND FLAT TOP MESA**

3     **SEC. 501. BLACK LAVA BUTTE AND FLAT TOP MESA AREA**  
4             **OF CRITICAL ENVIRONMENTAL CONCERN.**

5             (a) DESIGNATION.—There is established the Black  
6 Lava Butte and Flat Top Mesa Area of Critical Environ-  
7 mental Concern (referred to in this section as the “covered  
8 area”) within the California Desert Conservation Area  
9 under the Bureau of Land Management comprising ap-  
10 proximately 6,350 acres as generally depicted on the map  
11 entitled “Proposed Black Lava Butte and Flat Top Mesa  
12 ACEC” and dated March 2, 2015.

13            (b) ADMINISTRATION.—The Secretary of the Interior  
14 shall administer the covered area to preserve the geologi-  
15 cal, biological, cultural, and archeological resources within  
16 the covered area.

17            (c) WITHDRAWAL.—Subject to valid existing rights,  
18 the Federal land and interests in Federal land included  
19 within the covered area are withdrawn from—

20                 (1) all forms of entry, appropriation, or disposal  
21                 under the public land laws;

22                 (2) location, entry, and patent under the United  
23                 States mining laws; and

24                 (3) disposition under all laws pertaining to min-  
25                 eral and geothermal leasing and mineral materials.

1 (d) PROHIBITION ON RENEWABLE ENERGY GENERA-  
2 TION FACILITIES.—Development of renewable energy gen-  
3 eration facilities (excluding rights-of-way or facilities for  
4 the transmission of energy and telecommunication facili-  
5 ties and infrastructure) is prohibited within the covered  
6 area.

## 7 **TITLE VI—MOJAVE TRAILS** 8 **SPECIAL MANAGEMENT AREA**

### 9 **SEC. 601. DEFINITIONS.**

10 In this title:

11 (1) MANAGEMENT AREA.—The term “Manage-  
12 ment Area” means the Mojave Trails Special Man-  
13 agement Area.

14 (2) MAP.—The term “map” means the map en-  
15 titled “Proposed Mojave Trails Special Management  
16 Area” and dated September 30, 2015.

17 (3) ENERGY TRANSPORT FACILITY.—

18 (A) IN GENERAL.—The term “energy  
19 transport facility” means any facility used for  
20 the operation, maintenance, transmission, dis-  
21 tribution, or transportation of electricity or nat-  
22 ural gas.

23 (B) INCLUSIONS.—The term “energy  
24 transport facility” includes—

- 1 (i) electric and gas transmission and  
2 distribution facilities;
- 3 (ii) telecommunications facilities; and
- 4 (iii) appurtenant equipment owned or  
5 used by a public or municipal utility com-  
6 pany or water district.

7 (4) MECHANIZED VEHICLE.—The term “mecha-  
8 nized vehicle” means a motorized or mechanized ve-  
9 hicle or equipment used by a public or municipal  
10 utility company or water district to construct, oper-  
11 ate, maintain, repair, or upgrade electricity, natural  
12 gas, telecommunications, or water infrastructure.

13 (5) PUBLIC-UTILITY COMPANY.—The term  
14 “public-utility company” has the meaning given the  
15 term in section 1262 of the Public Utility Holding  
16 Company Act of 2005 (42 U.S.C. 16451).

17 (6) PUBLIC LANDS.—The term “public lands”  
18 has the meaning given that term in section 103 of  
19 the Federal Land Policy and Management Act of  
20 1976 (43 U.S.C. 1702).

21 (7) SECRETARY.—The term “Secretary” means  
22 the Secretary of the Interior.

23 **SEC. 602. MOJAVE TRAILS SPECIAL MANAGEMENT AREA.**

24 (a) ESTABLISHMENT.—There is established the Mo-  
25 jave Trails Special Management Area in the State of Cali-

1 fornia, to be managed by the Barstow Field Office and  
2 the Needles Field Office of the Bureau of Land Manage-  
3 ment.

4 (b) PURPOSE.—The purpose of the Management  
5 Area is—

6 (1) to preserve and maintain the nationally sig-  
7 nificant biological, cultural, recreational, geological,  
8 educational, historic, scenic, and scientific values—

9 (A) in the Central and Eastern Mojave  
10 Desert; and

11 (B) along historic Route 66;

12 (2) to secure the opportunity for present and  
13 future generations to experience and enjoy the mag-  
14 nificent vistas, wildlife, land forms, and natural and  
15 cultural resources of the Management Area;

16 (3) to provide public recreational use of the  
17 Management Area, including motorized vehicle use  
18 on designated roads and trails; and

19 (4) to provide access to mineral resources for  
20 mining and economic development.

21 (c) BOUNDARIES.—The Management Area shall con-  
22 sist of the public lands in San Bernardino County, Cali-  
23 fornia, comprising approximately 965,000 acres, as gen-  
24 erally depicted on the map.

25 (d) MAP; LEGAL DESCRIPTION.—

1           (1) IN GENERAL.—As soon as practicable, but  
2 not later than three years, after the date of enact-  
3 ment of this Act, the Secretary shall submit a map  
4 and legal description of the Management Area to—

5                   (A) the Committee on Natural Resources  
6 of the House of Representatives; and

7                   (B) the Committee on Energy and Natural  
8 Resources of the Senate.

9           (2) EFFECT.—The map and legal description  
10 submitted under paragraph (1) shall have the same  
11 force and effect as if included in this Act, except  
12 that the Secretary may correct any errors in the  
13 map and legal description.

14           (3) AVAILABILITY.—Copies of the map sub-  
15 mitted under paragraph (1) shall be on file and  
16 available for public inspection in—

17                   (A) the Office of the Director of the Bu-  
18 reau of Land Management; and

19                   (B) the appropriate office of the Bureau of  
20 Land Management in the State of California.

21 **SEC. 603. MANAGEMENT.**

22           (a) CERTAIN ACTIVITIES AUTHORIZED.—The Sec-  
23 retary shall allow hiking, camping, hunting, trapping, fish-  
24 ing, and sightseeing and the use of motorized vehicles,

1 mountain bikes, and horses on designated routes in the  
2 Management Area in a manner that—

3 (1) is consistent with the purpose of the Man-  
4 agement Area;

5 (2) ensures public health and safety; and

6 (3) is consistent with applicable law.

7 (b) OFF-HIGHWAY VEHICLE USE.—

8 (1) IN GENERAL.—Except as otherwise pro-  
9 vided in this subsection and subject to all other ap-  
10 plicable laws, the use of off-highway vehicles shall be  
11 permitted on routes in the Management Area gen-  
12 erally depicted on the map.

13 (2) CLOSURE.—Subject to paragraph (3), the  
14 Secretary may temporarily close or permanently re-  
15 route a portion of a route described in paragraph (1)  
16 or opened pursuant to paragraph (4)—

17 (A) to prevent, or allow for restoration of,  
18 resource damage;

19 (B) to protect tribal cultural resources, in-  
20 cluding the resources identified in the tribal cul-  
21 tural resources management survey conducted  
22 under subsection (g);

23 (C) to address public safety concerns; or

24 (D) as otherwise required by law.

1           (3) NO NET LOSS.—Except in the case of the  
2 temporary closure of a route due to an emergency,  
3 before any routes described in paragraph (1) are  
4 closed, the Secretary should open new routes pursu-  
5 ant to paragraph (4) to ensure that there is no net  
6 loss in the total mileage of open routes in the Man-  
7 agement Area available for off-highway vehicle use.

8           (4) DESIGNATION OF ADDITIONAL ROUTES.—  
9 During the three-year period beginning on the date  
10 of enactment of this Act, the Secretary—

11                   (A) shall accept petitions from the public  
12 regarding additional routes for off-highway ve-  
13 hicles in the Management Area; and

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

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

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

20           (c) MEMORANDUM OF UNDERSTANDING WITH CALI-  
21 FORNIA DEPARTMENT OF FISH AND WILDLIFE.—Not  
22 later than 180 days after the date of the enactment of  
23 this Act, the Secretary shall enter into a memorandum  
24 of understanding with the California Department of Fish  
25 and Wildlife to permit operationally feasible, ongoing ac-

1 cess to the Management Area for the placement and main-  
2 tenance of water development projects as considered nec-  
3 essary for wildlife conservation.

4 (d) HUNTING, TRAPPING, AND FISHING.—

5 (1) IN GENERAL.—Except as provided in para-  
6 graph (2), the Secretary shall permit hunting, trap-  
7 ping, and fishing within the Management Area in  
8 accordance with applicable Federal and State laws  
9 (including regulations).

10 (2) TRAPPING.—No amphibians or reptiles may  
11 be collected within the Management Area, except  
12 for—

13 (A) scientific purposes;

14 (B) the removal of an invasive species; or

15 (C) identification/medical purposes in re-  
16 sponse to a snakebite.

17 (3) REGULATIONS.—The Secretary, after con-  
18 sultation with the California Department of Fish  
19 and Wildlife, may designate zones in which, and es-  
20 tablish periods during which, hunting, trapping, and  
21 fishing shall not be allowed in the Management Area  
22 for reasons of public safety, administration, resource  
23 protection, or public use and enjoyment.

24 (e) GRAZING.—

1           (1) IN GENERAL.—Nothing in this title termi-  
2 nates any valid existing grazing permit within the  
3 Management Area.

4           (2) EFFECT ON BLAIR PERMIT.—Nothing in  
5 this title affects the Lazy Daisy grazing permit (per-  
6 mittee number 9076) on land included in the Man-  
7 agement Area including the transfer of title to the  
8 grazing permit to the Secretary or to a private  
9 party.

10          (3) PERMIT RETIREMENT.—The Secretary may  
11 acquire base property and associated grazing per-  
12 mits within the Management Area for purposes of  
13 permanently retiring the permit if—

14               (A) the permittee is a willing seller;

15               (B) the permittee and Secretary reach an  
16 agreement concerning the terms and conditions  
17 of the acquisition; and

18               (C) termination of the allotment would fur-  
19 ther the purposes of the Management Area de-  
20 scribed in section 602(b).

21 (f) NEW MINING.—

22          (1) OPEN TO MINING.—The Management Area  
23 will remain—

24               (A) open to location, entry, and patent  
25 under the public mining laws; and

1 (B) subject to the mineral leasing and min-  
2 eral materials laws.

3 (2) LIMITATIONS.—New mining will not be per-  
4 mitted on—

5 (A) any land within the Management Area  
6 donated to the United States for conservation  
7 purposes since January 1, 1995; or

8 (B) more than 10 percent of the total acre-  
9 age of the Management Area.

10 (g) ACCESS TO STATE AND PRIVATE LAND.—

11 (1) ACCESS.—The Secretary shall provide ade-  
12 quate access to each owner of non-Federal land or  
13 interests in non-Federal land within the boundary of  
14 the Management Area to ensure the reasonable  
15 maintenance, use, and enjoyment of the land or in-  
16 terest by the owner.

17 (2) SURVEY OF EXISTING MOTORIZED ACCESS  
18 ROUTES.—Not later than two years after enactment  
19 of this title, the Secretary shall consult with the  
20 owners of all non-Federal land within the boundary  
21 of the Monument to inventory all existing motorized  
22 access routes to private parcels existing as of the  
23 date of enactment of this title.

1           (3) PROHIBITION ON CLOSING MOTORIZED AC-  
2           CESS ROUTES.—The Secretary shall not close or  
3           deny use of any routes inventoried in paragraph (2).

4           (4) PUBLIC SAFETY EXCEPTION.—Subject to  
5           paragraph (5), the Secretary may temporarily or  
6           permanently reroute a portion of a route inventoried  
7           in paragraph (2) to address public safety concerns.

8           (5) NO LET LOSS OF ACCESS.—Except in the  
9           case of temporary closure of a route due to an emer-  
10          gency, before any route inventoried in paragraph (2)  
11          is closed, the Secretary must open a new motorized  
12          access route to private parcels impacted by the clo-  
13          sure.

14          (h) LIMITATIONS ON COMMERCIAL ENTERPRISES.—

15           (1) IN GENERAL.—Except as provided in para-  
16           graphs (2) and (3), or as required for the customary  
17           operation, maintenance, upgrade, expansion, or de-  
18           velopment of energy transport facilities within cor-  
19           ridors or rights-of-way described in subsection (g),  
20           no commercial enterprises shall be authorized within  
21           the boundary of the Management Area after the  
22           date of enactment of this Act.

23           (2) ADDITIONAL EXCEPTIONS AUTHORIZED BY  
24           SECRETARY.—The Secretary may authorize excep-  
25           tions to paragraph (1) if the Secretary determines

1 that the commercial enterprise would further the  
2 purposes described in section 602(b).

3 (3) EXCEPTIONS.—This subsection does not  
4 apply to the following:

5 (A) Energy transport facilities that are  
6 owned or operated by a utility subject to regula-  
7 tion by the Federal Government or a State gov-  
8 ernment or a State utility with a service obliga-  
9 tion (as those terms may be defined in section  
10 217 of the Federal Power Act (16 U.S.C.  
11 824q)).

12 (B) Mining.

13 (C) Commercial vehicular touring enter-  
14 prises within the Management Area that oper-  
15 ate on designated routes.

16 (D) Holders of permits for commercial en-  
17 terprises, such as touring, wildlife viewing, or  
18 guiding for profit, within the Management  
19 Area, regardless of whether the permit is issued  
20 before, on, or after the date of the enactment  
21 of this Act.

22 (E) Commercial operations that take place  
23 on non-Federal land within the boundary of the  
24 Management Area.

1 (i) RIGHTS-OF-WAY AND ENERGY TRANSPORT FA-  
2 CILITIES.—

3 (1) IN GENERAL.—Subject to paragraph (2),  
4 nothing in this title precludes, prevents, or inhibits  
5 the following activities within rights-of-way or cor-  
6 ridors in existence in the Management Area as of  
7 the date of the enactment of this Act:

8 (A) Use of mechanized vehicles.

9 (B) Customary operation.

10 (C) Maintenance.

11 (D) Construction.

12 (E) Incidental uses.

13 (F) Upgrades or expansion.

14 (G) Relocation within the right-of-way.

15 (H) Replacement.

16 (I) Development of energy transport facili-  
17 ties.

18 (2) LIMITATION.—The activities described in  
19 paragraph (1) shall be conducted in a manner that  
20 minimizes the impact of the activities on Manage-  
21 ment Area resources.

22 (3) RIGHTS-OF-WAY.—The Secretary shall, to  
23 the maximum extent practicable—

24 (A) permit rights-of-way and corridor  
25 alignments that best protect the values and re-

1 sources of the Management Area described in  
2 section 602(b); and

3 (B) ensure that—

4 (i) existing rights-of-way and utility  
5 corridors within the Management Area are  
6 fully utilized before authorizing any new or  
7 expanded utility right-of-way or corridor;  
8 and

9 (ii) no economically, technically, or le-  
10 gally feasible alternative exists outside the  
11 Management Area before authorizing a  
12 new or expanded energy transport facility  
13 right-of-way or corridor within the Man-  
14 agement Area.

15 (4) EFFECT ON EXISTING FACILITIES AND  
16 RIGHTS-OF-WAY.—

17 (A) IN GENERAL.—Nothing in this section  
18 terminates or limits any valid right-of-way with-  
19 in the Management Area in existence as of the  
20 date of enactment of this Act (including the  
21 customary operation, maintenance, repair, relo-  
22 cation within an existing right-of-way, or re-  
23 placement of energy transport facilities within  
24 an existing right-of-way), or other authorized

1 right-of-way, including a right-of-way described  
2 in subparagraph (B).

3 (B) INCLUSIONS.—A right-of-way referred  
4 to in subparagraph (A) includes, but is not lim-  
5 ited to—

6 (i) a right-of-way issued, granted, or  
7 permitted to—

8 (I) the Southern California Edi-  
9 son Company or any predecessors,  
10 successors, or assigns of the Southern  
11 California Edison Company, which are  
12 referred to as of the date of enact-  
13 ment of this Act as Lugo-Mohave, El-  
14 dorado-Lugo, Cima-Eldorado-Pisgah 1  
15 and 2, and Lugo-Pisgah 1 and 2  
16 transmission line rights-of-way, Hec-  
17 tor, Lava, Sheephole, and Danby dis-  
18 tribution circuit rights-of-way, and  
19 any rights-of-way affiliated with the  
20 Camino Substation;

21 (II) the Pacific Gas and Electric  
22 Company or any predecessors, succes-  
23 sors, or assigns of the Pacific Gas and  
24 Electric Company, which are referred

1 to as Gas Transmission Lines 300A,  
2 300B, 311, and 372 rights-of-way;

3 (III) the Southern California Gas  
4 Company or any predecessors, succes-  
5 sors, or assigns of the Southern Cali-  
6 fornia Gas Company, which are re-  
7 ferred to as Gas Transmission Lines  
8 235, 3000, and 6916 rights-of-way;  
9 and

10 (IV) the Celeron Pipeline Com-  
11 pany and the All American Pipeline  
12 Company by Right-of-Way Grant No.  
13 CA 14013 from the Bureau of Land  
14 Management; and

15 (ii) a right-of-way authorization issued  
16 on the expiration of an existing right-of-  
17 way authorization described in clause (i).

18 (C) PUBLICATION OF PLANS.—Not later  
19 than one year after the date of enactment of  
20 this Act, the Secretary, in consultation with the  
21 Southern California Edison Company, the Pa-  
22 cific Gas and Electric Company, the Southern  
23 California Gas Company, and the Metropolitan  
24 Water District of Southern California, shall  
25 publish plans for regular and emergency access

1           by such utilities to the respective rights-of-way  
2           of those utilities within the Management Area.

3           (5) UPGRADING AND EXPANSION OF EXISTING  
4           RIGHTS-OF-WAY.—Nothing in this subsection pro-  
5           hibits the upgrading (including the construction, re-  
6           location, or replacement within an existing right-of-  
7           way) or expansion of an existing energy transport  
8           facility for the purpose of increasing the trans-  
9           mission capacity of the energy transport facility or  
10          for providing energy storage consistent with require-  
11          ments of the California Public Utilities Commission,  
12          or the Federal or State agency with regulatory au-  
13          thority over those actions, in—

14                 (A) existing rights-of-way or corridors  
15                 within the Management Area; or

16                 (B) a right-of-way issued, granted, or per-  
17                 mitted by the Secretary that is contiguous or  
18                 adjacent to existing energy transport facility  
19                 rights-of-way, including existing Southern Cali-  
20                 fornia Edison Company, Pacific Gas and Elec-  
21                 tric Company, and Southern California Gas  
22                 Company energy transport facility rights-of-  
23                 way.

24           (6) INTERSTATE 40 TRANSPORTATION COR-  
25           RIDOR.—For purposes of utility rights-of-way under

1 this subsection, the Secretary shall consider the  
2 Interstate 40 transportation corridor to be equiva-  
3 lent to a utility right-of-way corridor in existence as  
4 of the date of the enactment of this Act.

5 (7) NEW RIGHTS-OF-WAY.—

6 (A) IN GENERAL.—Except as authorized in  
7 subparagraph (B), any new right-of-way within  
8 the Management Area shall—

9 (i) only be permitted—

10 (I) in an energy corridor that is  
11 designated as of the date of enact-  
12 ment of this Act; or

13 (II) as an expansion of an energy  
14 corridor described in subclause (I);  
15 and

16 (ii) require compliance with the Na-  
17 tional Environmental Policy Act of 1969  
18 (42 U.S.C. 4321 et seq.).

19 (B) APPROVAL.—A new right-of-way, or  
20 expansion of an existing energy corridor, au-  
21 thorized by subparagraph (A) shall only be ap-  
22 proved if the Secretary, in consultation with ap-  
23 plicable Federal and State agencies, determines  
24 that the new right-of-way or expansion of an  
25 existing corridor is consistent with—

- 1 (i) this title;
- 2 (ii) other applicable laws;
- 3 (iii) the purposes of the Management  
4 Area described in section 602(b); and
- 5 (iv) the management plan for the  
6 Management Area.

7 (j) OVERFLIGHTS.—Nothing in this title or the man-  
8 agement plan restricts or precludes—

9 (1) overflights (including low-level overflights)  
10 of military, commercial, and general aviation aircraft  
11 that can be seen or heard within the Management  
12 Area;

13 (2) the designation or creation of new units of  
14 special use airspace;

15 (3) the establishment of military flight training  
16 routes over the Management Area; or

17 (4) the use (including takeoff and landing) of  
18 helicopters and other aerial devices to construct or  
19 maintain energy transport facilities.

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

23 (1) all forms of entry, appropriation, or disposal  
24 under the public land laws; and

1           (2) right-of-way, leasing, or disposition under  
2           all laws relating to solar, wind, and geothermal en-  
3           ergy.

4           (1) PROHIBITION ON RENEWABLE ENERGY GENERA-  
5           TION FACILITIES.—Development of renewable energy gen-  
6           eration facilities (excluding rights-of-way or facilities for  
7           the transmission of energy and telecommunication facili-  
8           ties and infrastructure) is prohibited within the Manage-  
9           ment Area.

10          (m) NO BUFFERS.—The establishment of the Man-  
11          agement Area shall not—

12                (1) create a protective perimeter or buffer zone  
13                around the Management Area; or

14                (2) restrict, preclude, limit, or prevent uses or  
15                activities outside the Management Area that are per-  
16                mitted under other applicable laws, even if the uses  
17                or activities are prohibited within the Management  
18                Area.

19          (n) NOTICE OF AVAILABLE ROUTES.—The Secretary  
20          shall ensure that visitors to the Management Area have  
21          access to adequate notice relating to the availability of des-  
22          ignated routes in the Management Area through—

23                (1) the placement of appropriate signage along  
24                the designated routes;

1           (2) the distribution of maps, safety education  
2 materials, and other information that the Secretary  
3 determines to be appropriate; and

4           (3) restoration of areas that are not designated  
5 as open routes, including vertical mulching.

6           (o) STEWARDSHIP.—In consultation with Indian  
7 tribes and other interested persons, the Secretary shall de-  
8 velop a program to provide opportunities for monitoring  
9 and stewardship of the Management Area to minimize en-  
10 vironmental impacts and prevent resource damage from  
11 recreational use, including volunteer assistance with—

12           (1) route signage;

13           (2) restoration of closed routes;

14           (3) protection of Management Area resources;

15           and

16           (4) recreation education.

17           (p) PROTECTION OF TRIBAL CULTURAL RE-  
18 SOURCES.—Not later than two years after the date of en-  
19 actment of this Act, the Secretary, in accordance with  
20 chapter 2003 of title 54, United States Code, and any  
21 other applicable law, shall—

22           (1) prepare and complete a tribal cultural re-  
23 sources survey of the Management Area; and

24           (2) consult with the Fort Mojave Indian Tribe,  
25 the Colorado River Indian Tribes, the Chemehuevi

1 Indian Tribe, the San Manuel Band of Serrano Mis-  
2 sion Indians, and other Indian tribes with historic or  
3 cultural ties to land within, or adjacent to, the Man-  
4 agement Area regarding the management of portions  
5 of the Management Area containing sacred sites or  
6 cultural importance to the Indian tribes on the de-  
7 velopment and implementation of the tribal cultural  
8 resources survey under paragraph (1).

9 (q) PROTECTION OF PROPERTY RIGHTS.—

10 (1) NO AFFECT ON NON-FEDERAL LAND.—The  
11 establishment of the Management Area does not af-  
12 fect—

13 (A) any land or interest in land held by the  
14 State of California, political subdivision of the  
15 State, or special district;

16 (B) any private property right (including a  
17 water development right) within or adjacent to  
18 the boundaries of the Management Area;

19 (C) any land, interest in land, or cus-  
20 tomary operation, maintenance, repair, or re-  
21 placement activity carried out on, over, or  
22 under land or within an existing right-of-way in  
23 the Management Area; or

24 (D) access to valid existing water rights  
25 and the operation and maintenance of water

1 conveyance structures associated with the water  
2 rights.

3 (2) NO NEW AUTHORITY.—Nothing in this title  
4 grants to the Secretary any authority on or over  
5 non-Federal land not already provided by law.

6 **SEC. 604. ACQUISITION OF LAND.**

7 (a) IN GENERAL.—The Secretary may acquire for in-  
8 clusion in the Management Area any land or interests in  
9 land within the boundary of the Management Area owned  
10 by the State, units of local government, Indian tribes, non-  
11 profit organizations, private individuals, or any other land-  
12 owner only by—

13 (1) donation;

14 (2) exchange with a willing party; or

15 (3) purchase from a willing seller.

16 (b) USE OF EASEMENTS.—To the maximum extent  
17 practicable and only with the approval of the landowner,  
18 the Secretary may use permanent conservation easements  
19 to acquire an interest in land in the Management Area  
20 rather than acquiring fee simple title to the land.

21 (c) INCORPORATION OF ACQUIRED LAND AND INTER-  
22 ESTS IN LAND.—Any land or interest in land within the  
23 boundaries of the Management Area that is acquired by  
24 the United States after the date of enactment of this Act

1 shall be added to and administered as part of the Manage-  
2 ment Area.

3 (d) DONATED AND ACQUIRED LAND.—

4 (1) IN GENERAL.—All land within the boundary  
5 of the Management Area donated to the United  
6 States or acquired using amounts from the land and  
7 water conservation fund established under section  
8 200302 of title 54, United States Code, before, on,  
9 or after the date of enactment of this Act—

10 (A) shall be managed in accordance with  
11 section 603; and

12 (B) shall be managed consistent with the  
13 purposes of the Management Area described in  
14 section 602(b).

15 (2) EFFECT ON MANAGEMENT AREA.—Land  
16 within the boundary of the Management Area that  
17 is contiguous to land donated to the United States  
18 or acquired through purchase or exchange shall be  
19 managed in a manner consistent with conservation  
20 purposes, subject to applicable law.

21 **SEC. 605. RENEWABLE ENERGY RIGHT-OF-WAY APPLICA-**  
22 **TIONS.**

23 (a) IN GENERAL.—Applicants for rights-of-way for  
24 the development of solar energy facilities that have been  
25 terminated by the establishment of the Management Area

1 shall be granted the right of first refusal to apply for re-  
2 placement sites that—

3 (1) have not previously been encumbered by  
4 right-of-way applications; and

5 (2) are located within the Solar Energy Zones  
6 designated by the Solar Energy Programmatic Envi-  
7 ronmental Impact Statement of the Department of  
8 the Interior and the Department of Energy.

9 (b) ELIGIBILITY.—To be eligible for a right of first  
10 refusal under subsection (a), an applicant shall have, on  
11 or before December 1, 2009—

12 (1) submitted an application for a right-of-way  
13 to the Bureau of Land Management;

14 (2) completed a plan of development to develop  
15 a solar energy facility on land within the Manage-  
16 ment Area;

17 (3) submitted cost recovery funds to the Bu-  
18 reau of Land Management to assist with the costs  
19 of processing the right-of-way application;

20 (4) successfully submitted an application for an  
21 interconnection agreement with an electrical grid op-  
22 erator that is registered with the North American  
23 Electric Reliability Corporation; and

24 (5)(A) secured a power purchase agreement; or

1           (B) a financially and technically viable solar en-  
2           ergy facility project, as determined by the Director  
3           of the Bureau of Land Management.

4           (c) EQUIVALENT ENERGY PRODUCTION.—Each  
5           right-of-way for a replacement site granted under this sec-  
6           tion shall—

7           (1) authorize the same energy production at the  
8           replacement site as had been applied for at the site  
9           that had been the subject of the terminated applica-  
10          tion; and

11          (2) have—

12           (A) appropriate solar insolation and  
13           geotechnical attributes; and

14           (B) adequate access to existing trans-  
15           mission or feasible new transmission.

16          (d) EXISTING RIGHTS-OF-WAY APPLICATIONS.—  
17          Nothing in this section alters, affects, or displaces primary  
18          rights-of-way applications within the Solar Energy Study  
19          Areas unless the applications are otherwise altered, af-  
20          fected, or displaced as a result of the Solar Energy Pro-  
21          grammatic Environmental Impact Statement of the De-  
22          partment of the Interior and the Department of Energy.

23          (e) DEADLINES.—A right of first refusal granted  
24          under this section shall only be exercisable by the date  
25          that is 180 days after the date of enactment of this Act.

1 (f) EXPEDITED APPLICATION PROCESSING.—The  
2 Secretary shall expedite the review of replacement site ap-  
3 plications from eligible applicants, as described in sub-  
4 section (b).

5 **SEC. 606. EXPEDITED ENVIRONMENTAL REVIEW PROCESS**  
6 **TO FACILITATE ROUTE 66 BRIDGE REPAIR**  
7 **AND REPLACEMENT WITHIN MANAGEMENT**  
8 **AREA.**

9 (a) PROGRAMMATIC ENVIRONMENTAL REVIEW  
10 PROCESS.—Consistent with section 139 of title 23, United  
11 States Code, the Secretary of Transportation shall author-  
12 ize the use of a single programmatic environmental review  
13 process to cover all repair or replacement projects pro-  
14 posed for bridges of Route 66, also known as National  
15 Trails Highway, located within the Management Area.

16 (b) PRESERVATION OF PARKLANDS, REFUGES, AND  
17 HISTORIC SITES.—Section 138 of title 23, United States  
18 Code, and section 303 of title 49, United States Code,  
19 shall not apply to the bridge repair and replacement  
20 projects described in subsection (a).

21 (c) ENDANGERED SPECIES ACT.—The bridge repair  
22 and replacement projects described in subsection (a) are  
23 exempt from the biological survey and consultation re-  
24 quirements of the Endangered Species Act of 1973 (16  
25 U.S.C. 1531 et seq.).

1 (d) NATIONAL HISTORIC PRESERVATION REVIEW.—  
2 Section 306108 of title 54, United States Code, shall not  
3 apply to the bridge repair and replacement projects de-  
4 scribed in subsection (a).

5 (e) FEDERAL ACTIONS TO ADDRESS ENVIRON-  
6 MENTAL JUSTICE.—Executive Order No. 12898 (59 Fed.  
7 Reg. 7629; 42 U.S.C. 4321 note), as amended by Execu-  
8 tive Order No. 12948 (60 Fed. Reg. 6381), shall not apply  
9 to the bridge repair and replacement projects described  
10 in subsection (a).

11 **TITLE VII—SAND TO SNOW**  
12 **NATIONAL MONUMENT**

13 **SEC. 701. DEFINITIONS.**

14 In this title:

15 (1) ENERGY TRANSPORT FACILITY.—

16 (A) IN GENERAL.—The term “energy  
17 transport facility” means any facility used for  
18 the operation, maintenance, transmission, dis-  
19 tribution, or transportation of electricity or nat-  
20 ural gas.

21 (B) INCLUSIONS.—The term “energy  
22 transport facility” includes—

23 (i) electric and gas transmission and  
24 distribution facilities;

25 (ii) telecommunications facilities; and

1 (iii) appurtenant equipment owned or  
2 used by a public or municipal utility com-  
3 pany or water district.

4 (2) MAP.—The term “map” means the map en-  
5 titled “Proposed Sand to Snow National Monument”  
6 and dated August 4, 2015.

7 (3) MECHANIZED VEHICLE.—The term “mecha-  
8 nized vehicle” means a motorized or mechanized ve-  
9 hicle or equipment used by a public or municipal  
10 utility company or water district to construct, oper-  
11 ate, maintain, repair, or upgrade electricity, natural  
12 gas, telecommunications, or water infrastructure.

13 (4) MONUMENT.—The term “Monument”  
14 means the Sand to Snow National Monument estab-  
15 lished by section 702(a).

16 (5) PUBLIC-UTILITY COMPANY.—The term  
17 “public-utility company” has the meaning given the  
18 term in section 1262 of the Public Utility Holding  
19 Company Act of 2005 (42 U.S.C. 16451).

20 (6) SECRETARIES.—The term “Secretaries”  
21 means the Secretary of the Interior and the Sec-  
22 retary of Agriculture, acting jointly.

23 **SEC. 702. SAND TO SNOW NATIONAL MONUMENT.**

24 (a) ESTABLISHMENT.—There is established in the  
25 State of California the Sand to Snow National Monument.

1 (b) PURPOSES.—The purposes of the Monument  
2 are—

3 (1) to preserve the nationally significant biologi-  
4 cal, cultural, educational, geological, historic, scenic,  
5 and recreational values at the convergence of the  
6 Mojave and Colorado Desert and the San  
7 Bernardino Mountains; and

8 (2) to secure the opportunity for present and  
9 future generations to experience and enjoy the mag-  
10 nificent vistas, wildlife, land forms, and natural and  
11 cultural resources of the Monument.

12 (c) BOUNDARIES.—

13 (1) IN GENERAL.—The Monument shall consist  
14 of the Federal land and Federal interests in land  
15 within the boundaries depicted on the map.

16 (2) DISTANCE FROM STATE HIGHWAYS.—In ac-  
17 cordance with the policy of the Bureau of Land  
18 Management, the boundaries of the Monument shall  
19 be set back not less than 300 feet from all State  
20 highways.

21 (d) MAP; LEGAL DESCRIPTIONS.—

22 (1) LEGAL DESCRIPTION.—As soon as prac-  
23 ticable after the date of enactment of this Act, the  
24 Secretaries shall submit to the Committee on Nat-  
25 ural Resources of the House of Representatives and

1 the Committee on Energy and Natural Resources of  
2 the Senate legal descriptions of the Monument,  
3 based on the map.

4 (2) CORRECTIONS.—The map and legal descrip-  
5 tions of the Monument shall have the same force  
6 and effect as if included in this title, except that the  
7 Secretaries may correct clerical and typographical  
8 errors in the map and legal descriptions.

9 (3) AVAILABILITY OF MAP.—The map shall be  
10 on file and available for public inspection in appro-  
11 priate offices of the Bureau of Land Management.

12 **SEC. 703. MANAGEMENT OF MONUMENT.**

13 (a) IN GENERAL.—The Secretaries shall—

14 (1) only allow uses of the Monument that—

15 (A) further the purposes described in sec-  
16 tion 702(b);

17 (B) are included in the management plan  
18 developed under subsection (g); and

19 (C) do not interfere with the energy trans-  
20 port facility rights-of-way authorized under sec-  
21 tion 704(e); and

22 (2) subject to valid existing rights, manage the  
23 Monument to protect the resources of the Monu-  
24 ment, in accordance with—

25 (A) this title;

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

3 (C) any other applicable provisions of law.

4 (b) COOPERATION AGREEMENTS.—

5 (1) GENERAL AUTHORITY.—Consistent with the  
6 management plan and authorities applicable to the  
7 Monument, the Secretaries may enter into coopera-  
8 tive agreements (including special use permits with  
9 any person (including educational institutions and  
10 Indian tribes)), for the purposes of interpreting, re-  
11 searching, and providing education on the resources  
12 of the Monument.

13 (2) MEMORANDUM OF UNDERSTANDING WITH  
14 CALIFORNIA DEPARTMENT OF FISH AND WILD-  
15 LIFE.—Not later than 180 days after the date of the  
16 enactment of this Act, the Secretaries shall enter  
17 into a memorandum of understanding with the Cali-  
18 fornia Department of Fish and Wildlife to permit  
19 operationally feasible, ongoing access to the Monu-  
20 ment for the placement and maintenance of water  
21 development projects as considered necessary for  
22 wildlife conservation.

23 (c) ADMINISTRATION OF SUBSEQUENTLY ACQUIRED  
24 LAND.—Any land or interest in land within the bound-  
25 aries of the Monument that is acquired by the Secretaries

1 after the date of enactment of this Act shall be managed  
2 by the Secretary concerned in accordance with this title.

3 (d) LIMITATIONS.—

4 (1) PROPERTY RIGHTS.—

5 (A) IN GENERAL.—The establishment of  
6 the Monument does not—

7 (i) affect—

8 (I) any land or interest in land  
9 held by the State, political subdivision  
10 of the State, or special district;

11 (II) any private property right  
12 (including a water development right)  
13 within the boundaries of the Monu-  
14 ment;

15 (III) any land, interest in land,  
16 or customary operation, maintenance,  
17 repair, or replacement activity carried  
18 out on, over, or under land or within  
19 a right-of-way granted to, owned by,  
20 or controlled by the Metropolitan  
21 Water District or the Southern Cali-  
22 fornia Edison Company pursuant to  
23 law or legal right (including the Act  
24 of June 18, 1932 (47 Stat. 324, chap-  
25 ter 270)) included in the Monument

1 and conducted in a manner that mini-  
2 mizes the impact on the resources of  
3 the Monument; or

4 (IV) access to valid existing  
5 water rights and the operation and  
6 maintenance of water conveyance  
7 structures associated with the water  
8 rights; or

9 (ii) grant to the Secretaries any au-  
10 thority on or over non-Federal land not al-  
11 ready provided by law.

12 (B) PLANS.—Not later than one year after  
13 the date of enactment of this Act, the Secre-  
14 taries, in consultation with the district and  
15 company referred to in subparagraph (A)(i)(III)  
16 shall publish plans for regular and emergency  
17 access to the land and rights-of-way owned or  
18 controlled by the company or district.

19 (2) AUTHORITY.—The authority of the Secre-  
20 taries under this title extends only to Federal land  
21 and Federal interests in land included in the Monu-  
22 ment.

23 (e) ADJACENT MANAGEMENT.—

1           (1) IN GENERAL.—Nothing in this title creates  
2 any protective perimeter or buffer zone around the  
3 Monument.

4           (2) ACTIVITIES OUTSIDE MONUMENT.—The  
5 fact that an activity or use on land outside the  
6 Monument can be seen or heard within the Monu-  
7 ment shall not preclude the activity or use outside  
8 the boundary of the Monument.

9           (3) NO ADDITIONAL REGULATION.—Nothing in  
10 this title requires additional regulation of activities  
11 on land outside the boundary of the Monument.

12          (f) AIR AND WATER QUALITY.—Nothing in this title  
13 affects the standards governing air or water quality out-  
14 side the boundary of the Monument.

15          (g) MANAGEMENT PLAN.—

16           (1) IN GENERAL.—The Secretaries shall—

17           (A) not later than three years after the  
18 date of enactment of this Act, complete a man-  
19 agement plan for the conservation and protec-  
20 tion of the Monument; and

21           (B) on completion of the management  
22 plan—

23           (i) submit the management plan to—

1 (I) the Committee on Natural  
2 Resources of the House of Represent-  
3 atives; and

4 (II) the Committee on Energy  
5 and Natural Resources of the Senate;  
6 and

7 (ii) make the management plan avail-  
8 able to the public.

9 (2) INCLUSIONS.—The management plan shall  
10 include provisions that—

11 (A) provide for the conservation and pro-  
12 tection of the Monument;

13 (B) authorize the continued recreational  
14 uses of the Monument (including hiking, camp-  
15 ing, hunting, mountain biking, sightseeing, off-  
16 highway vehicle recreation on designated routes,  
17 rockhounding, sport shooting, and horseback  
18 riding), if the recreational uses are consistent  
19 with this title and any other applicable law;

20 (C) address the designation and mainte-  
21 nance of roads, trails, and paths in the Monu-  
22 ment and take into consideration—

23 (i) connecting trails within the Monu-  
24 ment to trails on other adjacent public  
25 land; and

1 (ii) establishing a trailhead at Cabot's  
2 Pueblo in the city of Desert Hot Springs,  
3 California;

4 (D) address regional fire management  
5 planning and coordination between the Director  
6 of the Bureau of Land Management, the Chief  
7 of the Forest Service, Riverside County, and  
8 San Bernardino County;

9 (E) address the establishment of a visitor  
10 center to serve the Monument and adjacent  
11 public land;

12 (F) provide for the maintenance of and ac-  
13 cess to energy transport facilities and rights-of-  
14 way within the Monument; and

15 (G) provide for the maintenance of and ac-  
16 cess to existing water conveyance systems and  
17 rights-of-way within the Monument.

18 (3) PREPARATION AND IMPLEMENTATION.—

19 (A) APPLICABLE LAW.—The Secretaries  
20 shall prepare and implement the management  
21 plan in accordance with the National Environ-  
22 mental Policy Act of 1969 (42 U.S.C. 4321 et  
23 seq.) and any other applicable laws.

1 (B) CONSULTATION.—In preparing and  
2 implementing the management plan, the Secre-  
3 taries shall periodically consult with—

4 (i) the advisory committee established  
5 under section 706;

6 (ii) interested private property owners  
7 and holders of valid rights located within  
8 the boundaries of the Monument; and

9 (iii) representatives of the San Manuel  
10 Band of Serrano Mission Indians, the  
11 Morongo Band of Mission Indians, and  
12 other Indian tribes with historic or cultural  
13 ties to land within, or adjacent to, the  
14 Monument regarding the management of  
15 portions of the Monument that are of cul-  
16 tural importance to the Indian tribes.

17 (4) INTERIM MANAGEMENT.—Except as other-  
18 wise prohibited by this Act, pending completion of  
19 the management plan for the Monument, the Secre-  
20 taries shall manage any Federal land and Federal  
21 interests in land within the boundary of the Monu-  
22 ment—

23 (A) in accordance with section 1.6D of the  
24 Bureau of Land Management manual num-  
25 bered 6220, dated July 13, 2012, and entitled

1 “National Monuments, National Conservation  
2 Areas, and Similar Designations”; and

3 (B) consistent with the purposes of the  
4 Monument described in section 702(b).

5 **SEC. 704. USES OF MONUMENT.**

6 (a) USE OF OFF-HIGHWAY MOTORIZED VEHI-  
7 CLES.—

8 (1) IN GENERAL.—Except as necessary for ad-  
9 ministrative purposes or to respond to an emer-  
10 gency, the use of off-highway motorized vehicles in  
11 the Monument (including the use of off-highway mo-  
12 torized vehicles for commercial touring) shall be per-  
13 mitted only on designated routes, subject to all ap-  
14 plicable law and as authorized by the management  
15 plan.

16 (2) INVENTORY.—Not later than two years  
17 after the date of enactment of this Act, the Director  
18 of the Bureau of Land Management shall—

19 (A) complete an inventory of all existing  
20 routes in the Monument; and

21 (B) designate routes concurrently with the  
22 completion of the management plan.

23 (b) HUNTING, TRAPPING, AND FISHING.—

24 (1) IN GENERAL.—Except as provided in para-  
25 graph (2), the Secretaries shall permit hunting,

1 trapping, and fishing within the Monument in ac-  
2 cordance with applicable Federal and State laws (in-  
3 cluding regulations) as of the date of enactment of  
4 this Act.

5 (2) TRAPPING.—No amphibians or reptiles may  
6 be collected within the Monument, except for—

7 (A) scientific purposes;

8 (B) the removal of an invasive species; or

9 (C) identification/medical purposes in re-  
10 sponse to a snakebite.

11 (3) REGULATIONS.—The Secretaries, after con-  
12 sultation with the California Department of Fish  
13 and Wildlife, may designate zones in which, and es-  
14 tablish periods during which, hunting, trapping, and  
15 fishing shall not be allowed in the Monument for  
16 reasons of public safety, administration, resource  
17 protection, or public use and enjoyment.

18 (c) ACCESS TO STATE AND PRIVATE LAND.—

19 (1) ACCESS.—The Secretaries shall provide ac-  
20 cess to each owner of non-Federal land or interests  
21 in non-Federal land within the boundary of the  
22 Monument to ensure the reasonable maintenance,  
23 use, and enjoyment of the land or interest by the  
24 owner.

1           (2) SURVEY OF EXISTING MOTORIZED ACCESS  
2 ROUTES.—Not later than two years after enactment  
3 of this Act, the Secretaries shall consult with the  
4 owners of all non-Federal land within the boundary  
5 of the Monument to inventory all existing motorized  
6 access routes to private parcels existing as of the  
7 date of enactment of this Act.

8           (3) PROHIBITION ON CLOSING MOTORIZED AC-  
9 CESS ROUTES.—The Secretaries shall not close, re-  
10 strict, or deny use of any routes inventoried in para-  
11 graph (2).

12           (4) PUBLIC SAFETY EXCEPTION.—Subject to  
13 paragraph (5), the Secretaries may temporarily or  
14 permanently reroute a portion of a route inventoried  
15 in paragraph (2) to address public safety concerns.

16           (5) NO NET LOSS OF ACCESS.—Except in the  
17 case of temporary closure of a route due to an emer-  
18 gency, before any route inventoried in paragraph (2)  
19 is closed, the Secretaries must open a new motorized  
20 access route to private parcels impacted by the clo-  
21 sure.

22 (d) LIMITATIONS.—

23           (1) COMMERCIAL ENTERPRISES.—Except as  
24 provided in paragraphs (2) and (3), or as required  
25 for the customary operation, maintenance, upgrade,

1 expansion, or development of energy transport facili-  
2 ties within the rights-of-way described in subsection  
3 (e), no commercial enterprises shall be authorized  
4 within the boundary of the Monument after the date  
5 of enactment of this Act.

6 (2) AUTHORIZED EXCEPTIONS.—The Secre-  
7 taries may authorize exceptions to paragraph (1) if  
8 the Secretaries determine that the commercial enter-  
9 prises would further the purposes described in sec-  
10 tion 702(b).

11 (3) APPLICATION.—This subsection does not  
12 apply to the following:

13 (A) Energy transport facilities that are  
14 owned or operated by a utility subject to regula-  
15 tion by the Federal Government or a State gov-  
16 ernment or a State utility with a service obliga-  
17 tion (as those terms are defined in section 217  
18 of the Federal Power Act (16 U.S.C. 824q)).

19 (B) Commercial vehicular touring enter-  
20 prises within the Monument that operate on  
21 designated routes.

22 (C) Holders of permits for commercial en-  
23 terprises, such as touring, wildlife viewing, or  
24 guiding for profit, within the Monument, re-  
25 gardless of whether the permit is issued before,

1 on, or after the date of the enactment of this  
2 Act.

3 (D) Commercial operations that take place  
4 on non-Federal land within the boundary of the  
5 Monument.

6 (e) ENERGY TRANSPORT FACILITIES AND RIGHTS-  
7 OF-WAY.—

8 (1) IN GENERAL.—Subject to paragraph (2),  
9 nothing in this Act precludes, prevents, or inhibits  
10 the use of mechanized vehicles or customary oper-  
11 ation, maintenance, upgrade, expansion, relocation  
12 within an existing right-of-way, replacement, or de-  
13 velopment of energy transport facilities within exist-  
14 ing rights-of-way located in the Monument.

15 (2) LIMITATION.—The activities described in  
16 paragraph (1) shall be conducted in a manner that  
17 minimizes the impact of the activities on Monument  
18 resources.

19 (3) RIGHTS-OF-WAY.—The Secretaries shall, to  
20 the maximum extent practicable—

21 (A) permit rights-of-way that best protect  
22 the values and resources of the Monument de-  
23 scribed in section 702(b); and

24 (B) ensure that—

1 (i) existing rights-of-way within the  
2 Monument are fully utilized before author-  
3 izing any new or expanded utility right-of-  
4 way; and

5 (ii) no economically, technically, or le-  
6 gally feasible alternative exists outside the  
7 Monument before authorizing a new or ex-  
8 panded energy transport facility right-of-  
9 way within the Monument.

10 (4) EFFECT ON EXISTING FACILITIES AND  
11 RIGHTS-OF-WAY.—

12 (A) IN GENERAL.—Nothing in this section  
13 terminates or limits any valid right-of-way with-  
14 in the Monument in existence on the date of en-  
15 actment of this Act (including the customary  
16 operation, maintenance, repair, relocation with-  
17 in an existing right-of-way, or replacement of  
18 energy transport facilities within an existing  
19 right-of-way), or other authorized right-of-way,  
20 including a right-of-way described in subpara-  
21 graph (B).

22 (B) INCLUSIONS.—A right-of-way referred  
23 to in subparagraph (A) includes—

24 (i) a right-of-way issued, granted, or  
25 permitted to the Southern California Edi-

1 son Company or any predecessors, succes-  
2 sors, or assigns of the Southern California  
3 Edison Company, which are referred to as  
4 the Devers-Hi Desert-Terawind-Yucca  
5 transmission line rights-of-way and  
6 Coachella, Skyborne, and Toll distribution  
7 circuit rights-of-way; and

8 (ii) a right-of-way authorization issued  
9 on the expiration of an existing right-of-  
10 way authorization described in clause (i).

11 (C) PUBLICATION OF PLANS.—Not later  
12 than one year after the date of enactment of  
13 this Act, the Secretaries, in consultation with  
14 the Southern California Edison Company, shall  
15 publish plans for regular and emergency access  
16 by the Southern California Edison Company to  
17 the rights-of-way of the Southern California  
18 Edison Company within the Monument.

19 (5) UPGRADING AND EXPANSION OF EXISTING  
20 RIGHTS-OF-WAY.—Nothing in this subsection pro-  
21 hibits the upgrading (including the construction, re-  
22 location, or replacement within an existing right-of-  
23 way) or expansion of an existing energy transport  
24 facility for the purpose of increasing the trans-  
25 mission capacity of the energy transport facility or

1 for providing energy storage consistent with the re-  
2 quirements of the California Public Utilities Com-  
3 mission in—

4 (A) existing rights-of-way within the  
5 Monument; or

6 (B) a right-of-way issued, granted, or per-  
7 mitted by the Secretaries that is contiguous or  
8 adjacent to existing energy transport facility  
9 rights-of-way, including existing Southern Cali-  
10 fornia Edison Sand to Snow energy transport  
11 facility rights-of-way.

12 (6) NEW RIGHTS-OF-WAY AND NEW USES.—

13 (A) IN GENERAL.—Except as authorized in  
14 subparagraph (B), any new rights-of-way or  
15 new uses within existing rights-of-way shall re-  
16 quire compliance with the National Environ-  
17 mental Policy Act of 1969 (42 U.S.C. 4321 et  
18 seq.).

19 (B) APPROVAL.—New rights-of-way shall  
20 only be approved if the Secretaries, in consulta-  
21 tion with applicable Federal and State agencies,  
22 determine that the new rights-of-way are con-  
23 sistent with—

24 (i) this title;

25 (ii) other applicable laws;

1 (iii) the purposes of the Monument  
2 described in section 702(b); and

3 (iv) the management plan for the  
4 Monument.

5 (f) OVERFLIGHTS.—Nothing in this title or the man-  
6 agement plan restricts or precludes—

7 (1) overflights (including low-level overflights)  
8 of military, commercial, and general aviation aircraft  
9 that can be seen or heard within the Monument;

10 (2) the designation or creation of new units of  
11 special use airspace;

12 (3) the establishment of military flight training  
13 routes over the Monument; or

14 (4) the use (including takeoff and landing) of  
15 helicopters and other aerial devices to construct or  
16 maintain energy transport facilities.

17 (g) WITHDRAWALS.—

18 (1) IN GENERAL.—Subject to this Act and valid  
19 existing rights and except as provided in paragraph  
20 (2), the Federal land and interests in Federal land  
21 included within the Monument are withdrawn  
22 from—

23 (A) all forms of entry, appropriation, or  
24 disposal under the public land laws;

1 (B) location, entry, and patent under the  
2 public land mining laws; and

3 (C) operation of the mineral leasing, geo-  
4 thermal leasing, and mineral materials laws.

5 (2) EXCHANGE.—Paragraph (1) does not apply  
6 to an exchange that the Secretaries determine would  
7 further the protective purposes of the Monument.

8 (h) PROHIBITION ON RENEWABLE ENERGY GENERA-  
9 TION FACILITIES.—Development of renewable energy gen-  
10 eration facilities (excluding rights-of-way or facilities for  
11 the transmission of energy and telecommunication facili-  
12 ties and infrastructure) is prohibited within the Monu-  
13 ment.

14 (i) ACCESS TO RENEWABLE ENERGY AND ENERGY  
15 TRANSPORT FACILITIES.—

16 (1) IN GENERAL.—On a determination by the  
17 Secretaries that no reasonable alternative access ex-  
18 ists and subject to paragraph (2), the Secretaries  
19 may allow new rights-of-way within the Monument  
20 to provide reasonable vehicular access to renewable  
21 energy project sites and appurtenant energy trans-  
22 port facilities outside the boundaries of the Monu-  
23 ment.

24 (2) RESTRICTIONS.—To the maximum extent  
25 practicable, the rights-of-way shall be designed and

1 sited to be consistent with the purposes of the  
2 Monument described in section 702(b).

3 **SEC. 705. ACQUISITION OF LAND.**

4 (a) IN GENERAL.—The Secretaries may acquire for  
5 inclusion in the Monument any land or interests in land  
6 within the boundary of the Monument owned by the State,  
7 units of local government, Indian tribes, nonprofit organi-  
8 zations, private individuals, or any other landowner only  
9 by—

10 (1) donation;

11 (2) exchange with a willing party; or

12 (3) purchase from a willing seller.

13 (b) USE OF EASEMENTS.—To the maximum extent  
14 practicable and only with the approval of the landowner,  
15 the Secretaries may use permanent conservation ease-  
16 ments to acquire an interest in land in the Monument  
17 rather than acquiring fee simple title to the land.

18 (c) INCORPORATION OF ACQUIRED LAND AND INTER-  
19 ESTS IN LAND.—Any land or interest in land within the  
20 boundaries of the Monument that is acquired by the  
21 United States after the date of enactment of this Act shall  
22 be added to and administered as part of the Monument.

23 (d) DONATED AND ACQUIRED LAND.—

24 (1) IN GENERAL.—All land within the boundary  
25 of the Monument donated to the United States or

1       acquired using amounts from the land and water  
2       conservation fund established under section 200302  
3       of title 54, United States Code, before, on, or after  
4       the date of enactment of this Act—

5               (A) is withdrawn from mineral entry; and

6               (B) shall be managed in accordance with  
7       sections 703 and 704 consistent with the pur-  
8       poses of the Monument described in section  
9       702(b).

10       (2) EFFECT ON MONUMENT.—Land within the  
11       boundary of the Monument that is contiguous to  
12       land donated to the United States or acquired  
13       through purchase or exchange shall be managed in  
14       a manner consistent with conservation purposes,  
15       subject to applicable law.

16       **SEC. 706. ADVISORY COMMITTEE.**

17       (a) IN GENERAL.—The Secretaries shall establish an  
18       advisory committee for the Monument, the purpose of  
19       which is to advise the Secretaries with respect to the prep-  
20       aration and implementation of the management plan re-  
21       quired by section 703(g).

22       (b) MEMBERSHIP.—To the maximum extent prac-  
23       ticable, the advisory committee shall include the following  
24       members, to be appointed by the Secretaries:

1           (1) A representative with expertise in natural  
2 science and research selected from a regional institu-  
3 tion of higher education or research.

4           (2) A representative of the Department of De-  
5 fense.

6           (3) A representative of the California Natural  
7 Resources Agency.

8           (4) A representative of each of San Bernardino  
9 and Riverside Counties, California.

10          (5) A representative of each of the cities of  
11 Banning, Desert Hot Springs and Yucca Valley,  
12 California.

13          (6) A representative of the San Manuel Band of  
14 Serrano Mission Indians.

15          (7) A representative of the Morongo Band of  
16 Mission Indians.

17          (8) A representative of the Friends of Big  
18 Morongo Preserve.

19          (9) A representative of The Wildlands Conser-  
20 vancy.

21          (10) A representative of the Coachella Valley  
22 Mountains Conservancy.

23          (11) A representative of the San Gorgonio Wil-  
24 derness Association.

1           (12) A representative of the Morongo Valley  
2 Community Services District.

3           (13) A representative of organizations relating  
4 to each of the following recreational activities:

5                 (A) Off-highway vehicles.

6                 (B) Hunting.

7                 (C) Rockhounding.

8           (14) A representative of the Southern Cali-  
9 fornia Edison Company.

10           (15) A representative of the Metropolitan Water  
11 District.

12           (16) A representative of Banning Heights Mu-  
13 tual Water Company.

14           (17) A representative of the Society for the  
15 Conservation of Bighorn Sheep.

16           (18) A representative of the Bighorn Sheep  
17 Preservation Group.

18           (c) TERMS.—

19                 (1) IN GENERAL.—In appointing members  
20 under subsection (b), the Secretaries shall appoint 1  
21 primary member and 1 alternate member who meets  
22 the qualifications described in each of those para-  
23 graphs.

24                 (2) VACANCY.—

1           (A) PRIMARY MEMBER.—A vacancy on the  
2 advisory committee with respect to a primary  
3 member shall be filled by the applicable alter-  
4 nate member.

5           (B) ALTERNATE MEMBER.—The Secre-  
6 taries shall appoint a new alternate member in  
7 the event of a vacancy with respect to an alter-  
8 nate member of the advisory committee.

9           (3) TERMINATION.—

10           (A) IN GENERAL.—The term of all mem-  
11 bers of the advisory committee shall terminate  
12 on the termination of the advisory committee  
13 under subsection (g).

14           (B) NEW ADVISORY COMMITTEE.—The  
15 Secretaries may establish a new advisory com-  
16 mittee on the termination of the advisory com-  
17 mittee under subsection (g) to provide ongoing  
18 recommendations on the management of the  
19 Monument.

20           (d) QUORUM.—A quorum of the advisory committee  
21 shall consist of a majority of the primary members.

22           (e) CHAIRPERSON AND PROCEDURES.—

23           (1) IN GENERAL.—The advisory committee  
24 shall select a chairperson and vice chairperson from

1 among the primary members of the advisory com-  
2 mittee.

3 (2) DUTIES.—The chairperson and vice chair-  
4 person selected under paragraph (1) shall establish  
5 any rules and procedures for the advisory committee  
6 that the chairperson and vice chairperson determine  
7 to be necessary or desirable.

8 (f) SERVICE WITHOUT COMPENSATION.—Members  
9 of the advisory committee shall serve without pay.

10 (g) TERMINATION.—The advisory committee shall  
11 cease to exist on—

12 (1) the date on which the management plan is  
13 officially adopted by the Secretaries; or

14 (2) such later date as the Secretaries may  
15 specify.

16 **SEC. 707. WIRELESS COMMUNICATIONS FACILITIES.**

17 Nothing in this title shall be construed to affect, re-  
18 strict, or prevent the installation of wireless communica-  
19 tions facilities in the Monument within the area depicted  
20 as “Morongo Gorge” on the map.

1 **TITLE VIII—LAND CONVEY-**  
2 **ANCES, WITHDRAWALS, AND**  
3 **RELATED PROVISIONS**

4 **SEC. 801. RELEASE OF FEDERAL REVERSIONARY LAND IN-**  
5 **TERESTS.**

6 (a) DEFINITIONS.—In this section:

7 (1) 1932 ACT.—The term “1932 Act” means  
8 the Act of June 18, 1932 (47 Stat. 324, chapter  
9 270).

10 (2) DISTRICT.—The term “District” means the  
11 Metropolitan Water District of Southern California.

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

1 (c) TERMS AND CONDITIONS.—A conveyance author-  
2 ized by subsection (b) shall be subject to the following  
3 terms and conditions:

4 (1) The District shall cover, or reimburse the  
5 Secretary of the Interior for, the costs incurred by  
6 the Secretary to make the conveyance, including title  
7 searches, surveys, deed preparation, attorneys' fees,  
8 and similar expenses.

9 (2) By accepting the conveyances, the District  
10 agrees to indemnify and hold harmless the United  
11 States with regard to any boundary dispute relating  
12 to any parcel conveyed under this section.

13 **SEC. 802. CALIFORNIA STATE SCHOOL LAND.**

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

16 (1) in subsection (a)—

17 (A) in the first sentence—

18 (i) by striking “Upon request of the  
19 California State Lands Commission (here-  
20 inafter in this section referred to as the  
21 ‘Commission’), the Secretary shall enter  
22 into negotiations for an agreement” and  
23 inserting the following:

24 “(1) IN GENERAL.—The Secretary shall nego-  
25 tiate in good faith to reach an agreement with the

1 California State Lands Commission (referred to in  
2 this section as the ‘Commission’); and

3 (ii) by inserting “, national monu-  
4 ments,” after “more of the wilderness  
5 areas”; and

6 (B) in the second sentence, by striking  
7 “The Secretary shall negotiate in good faith to”  
8 and inserting the following:

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

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

14 (3) in subsection (c), by adding at the end the  
15 following:

16 “(5) SPECIAL DEPOSIT FUND ACCOUNT.—

17 “(A) IN GENERAL.—Assembled land ex-  
18 changes may be used to carry out this section  
19 through the sale of surplus Federal property  
20 and subsequent acquisitions of State school  
21 land.

22 “(B) RECEIPTS.—Past and future receipts  
23 from the sale of property described in sub-  
24 section (a), less any costs incurred related to

1 the sale, shall be deposited in a Special Deposit  
2 Fund Account established in the Treasury.

3 “(C) USE.—Funds accumulated in the  
4 Special Deposit Fund Account may be used by  
5 the Secretary, without an appropriation, to ac-  
6 quire State school lands or interest in the land  
7 consistent with this section.”.

8 **SEC. 803. JUNIPER FLATS.**

9 Development of renewable energy generation facilities  
10 (excluding rights-of-way or facilities for the transmission  
11 of energy and telecommunication facilities and infrastruc-  
12 ture) is prohibited on the approximately 28,000 acres of  
13 Federal land generally depicted as “BLM Land With-  
14 drawn from Energy Development and Power Generation”  
15 on the map entitled “Juniper Flats” and dated September  
16 21, 2015.

17 **SEC. 804. LAND EXCHANGE, SAN GORGONIO WILDERNESS,**  
18 **CALIFORNIA DESERT CONSERVATION AREA,**  
19 **BUREAU OF LAND MANAGEMENT, AND SAN**  
20 **BERNARDINO NATIONAL FOREST, CALI-**  
21 **FORNIA.**

22 (a) FOREST SERVICE EXCHANGE AUTHORIZED.—  
23 The Secretary of Agriculture may convey to Stephen  
24 Mascaro (in this section referred to as the “recipient”),  
25 all right, title, and interest of the United States in and

1 to a parcel of National Forest System land within San  
2 Bernardino National Forest in the State of California,  
3 consisting of approximately 638 acres, as depicted on the  
4 map titled “Proposed Sand to Snow National Monument  
5 Forest Service Land Exchange” and dated June 10, 2015,  
6 in exchange for a parcel of private land consisting of ap-  
7 proximately 632 acres, as also depicted on such map.

8 (b) BUREAU OF LAND MANAGEMENT EXCHANGE  
9 AUTHORIZED.—The Secretary of the Interior may convey  
10 to the recipient all right, title, and interest of the United  
11 States in and to a parcel of public land within the San  
12 Gorgonio Wilderness of the California Desert Conserva-  
13 tion Area in the State of California, consisting of approxi-  
14 mately 645 acres, as depicted on the map titled “Proposed  
15 Sand to Snow National Monument Bureau of Land Man-  
16 agement Land Exchange” and dated June 23, 2015, in  
17 exchange for a parcel of private land consisting of approxi-  
18 mately 953 acres, as also depicted on such map.

19 (c) EXISTING RIGHTS.—The conveyance of the Fed-  
20 eral land under this section shall be subject to valid exist-  
21 ing rights.

22 (d) EXCHANGE PROCESS.—The Secretaries shall  
23 carry out the land exchanges authorized by this section  
24 in the manner provided in section 206 of the Federal Land  
25 Policy and Management Act of 1976 (43 U.S.C. 1716)

1 and subject to the terms and conditions of such section  
2 and regulations promulgated to implement such section.

3 (e) MAPS AND LEGAL DESCRIPTIONS.—

4 (1) REQUIRED.—As soon as practicable after  
5 completion of the land exchange authorized by sub-  
6 section (a), the Secretary of Agriculture shall file  
7 with the Committee on Natural Resources of the  
8 House of Representatives and the Committee on En-  
9 ergy and Natural Resources of the Senate a map  
10 and legal description of the Federal land and private  
11 land exchanged under such subsection. As soon as  
12 practicable after completion of the land exchange au-  
13 thorized by subsection (b), the Secretary of the Inte-  
14 rior shall file with such committees a map and legal  
15 description of the Federal land and private land ex-  
16 changed under such subsection.

17 (2) FORCE AND EFFECT.—The maps and legal  
18 descriptions filed under paragraph (1) shall have the  
19 same force and effect as if included in this Act, ex-  
20 cept that the Secretary concerned may correct cler-  
21 ical and typographical errors in a map and descrip-  
22 tion.

23 (3) PUBLIC INSPECTION.—The maps and legal  
24 descriptions shall be on file and available for public

1 inspection in the appropriate offices of the Secretary  
2 concerned.

3 **SEC. 805. CONVEYANCE FOR APPLE VALLEY OFF-HIGHWAY**  
4 **VEHICLE RECREATION AREA.**

5 (a) DEFINITIONS.—In this section:

6 (1) TOWN.—The term “Town” means the town  
7 of Apple Valley, California.

8 (2) MAP.—The term “Map” means the map en-  
9 titled “Conveyance to Town of Apple Valley” and  
10 dated June 1, 2015.

11 (b) CONVEYANCE OF FEDERAL LAND TO TOWN.—

12 (1) CONVEYANCE REQUIRED.—Within five  
13 years after the date of the enactment of this Act, the  
14 Secretary of the Interior shall convey to the Town,  
15 without consideration, all right, title, and interest of  
16 the United States in and to the surface estate of ap-  
17 proximately 4,630 acres of land depicted on the Map  
18 as “Proposed Conveyance Area”.

19 (2) EXISTING RIGHTS AND MINERAL ESTATE.—  
20 The conveyance under this subsection—

21 (A) is subject to valid existing rights; and

22 (B) does not include the mineral estate.

23 (c) USE OF CONVEYED LAND.—

24 (1) IN GENERAL.—The land conveyed under  
25 subsection (b) may be used by the Town for any

1 public purpose authorized in paragraph (2), con-  
2 sistent with the Act of June 14, 1926 (commonly  
3 known as the Recreation and Public Purposes Act;  
4 43 U.S.C. 869 et seq.).

5 (2) AUTHORIZED PURPOSES.—The purposes of  
6 the conveyance under subsection (b) are to permit  
7 the Town to use the conveyed land—

8 (A) to provide a suitable location for the  
9 establishment of a centralized off-road vehicle  
10 recreation park;

11 (B) to provide the public with opportuni-  
12 ties for off-road vehicle recreation, including a  
13 location for races, competitive events, training  
14 and other commercial services that directly sup-  
15 port a centralized off-road vehicle recreation  
16 area and Town park; and

17 (C) to provide a designated area and facili-  
18 ties that would discourage unauthorized use of  
19 off-highway vehicles in areas that have been  
20 identified by the Federal Government, the State  
21 of California, or the County as containing envi-  
22 ronmentally sensitive land.

23 (3) DISPOSAL PROHIBITED.—The land con-  
24 veyed under subsection (b) may not be disposed of

1 by the Town without the approval of the Secretary  
2 of the Interior.

3 (d) TEMPORARY REVERSIONARY INTEREST.—During  
4 the five-year period beginning on the date of the convey-  
5 ance of the land under subsection (b), if the Secretary of  
6 the Interior determines that the Town has disposed of the  
7 conveyed land in violation of subsection (c)(3) or has failed  
8 to establish the off-road vehicle recreation park, title to  
9 the land shall revert to the United States, at the option  
10 of the Secretary. At the end of the five-year period, the  
11 Secretary shall release the reversionary interest.

12 (e) DESIGNATION OF APPLE VALLEY OFF-HIGHWAY  
13 VEHICLE RECREATION AREA.—The land identified on the  
14 Map as “Proposed Conveyance Area” and conveyed under  
15 this section shall be known and designated as the “Apple  
16 Valley Off-Highway Vehicle Recreation Area”.

17 (f) MANAGEMENT PLAN.—The Secretary may de-  
18 velop a special management plan for the Apple Valley Off-  
19 Highway Vehicle Recreation Area to enhance the safe use  
20 of off-highway vehicles for recreational purposes.

21 **SEC. 806. CONVEYANCE TO CITY OF TWENTYNINE PALMS,**  
22 **CALIFORNIA.**

23 (a) DEFINITIONS.—In this section:

24 (1) CITY.—The term “City” means the City of  
25 Twentynine Palms, California.

1           (2) MAP.—The term “Map” means the map en-  
2           titled “Proposed Conveyance to Twentynine Palms”  
3           and dated September 18, 2015.

4           (b) CONVEYANCE OF FEDERAL LAND TO CITY.—

5           (1) CONVEYANCE REQUIRED.—Within one year  
6           after the date of the enactment of this Act, the Sec-  
7           retary of the Interior shall convey to the City, with-  
8           out consideration, all right, title, and interest of the  
9           United States in and to the surface estate of the  
10          land depicted on the Map as “Proposed Conveyance  
11          to Twentynine Palms”.

12          (2) EXISTING RIGHTS AND MINERAL ESTATE.—

13          The conveyance under this subsection—

14                  (A) is subject to valid existing rights; and

15                  (B) does not include the mineral estate.

16 **SEC. 807. CONVERSION OF VALID, EXISTING RIGHTS.**

17          (a) CONTINUITY OF USE.—Any person claiming in  
18          good faith to have valid, existing rights to lands to be ex-  
19          changed or conveyed in this Act, including but not limited  
20          to Southern California Edison Company, Pacific Gas and  
21          Electric Company, and Southern California Gas Company,  
22          may continue to exercise such rights to the same extent  
23          that the rights were exercised before the date of the enact-  
24          ment of this Act until the Secretary of the Interior or the  
25          Secretary of Agriculture, depending on jurisdiction over

1 the lands involved, makes a determination on applications  
2 submitted under subsection (b)(2) or the applications are  
3 deemed to be granted under subsection (c)(2).

4 (b) NOTICE AND APPLICATIONS.—Consistent with  
5 sections 2800 through 2880 of title 43, Code of Federal  
6 Regulations, as soon as practicable after the date of the  
7 enactment of this Act and prior to any exchange or con-  
8 veyance of lands under this Act, the Secretary of the Inte-  
9 rior or the Secretary of Agriculture, depending on jurisdic-  
10 tion over the lands involved, shall provide written notice

11 to any person that claims to have valid, existing rights,  
12 such as a management agreement, easement, or other  
13 right-of-way, to lands to be exchanged or conveyed that—  
14 (1) the lands are to be exchanged or conveyed;  
15 and

16 (2) the person claiming the valid, existing  
17 rights has 60 days to submit an application to the  
18 Secretary concerned requesting that the valid, exist-  
19 ing rights be converted to a long-term easement or  
20 other right-of-way.

21 (c) DETERMINATION.—

22 (1) DETERMINATION REQUIRED; DEADLINE.—  
23 The Secretary of the Interior or the Secretary of Ag-  
24 riculture, depending on jurisdiction over the lands  
25 involved, shall grant or deny an application sub-

1       mitted under subsection (b)(2) before the end of the  
2       180-day period beginning on the date on which the  
3       application is received. The Secretary’s determina-  
4       tion shall be considered a final action.

5               (2) EFFECT OF FAILURE TO MEET DEAD-  
6       LINE.—If the Secretary of the Interior or the Sec-  
7       retary of Agriculture fails to make the required de-  
8       termination on an application under paragraph (1)  
9       before the end of the period specified in such para-  
10      graph, that application shall be deemed to be grant-  
11      ed. The Secretary concerned shall take such steps as  
12      may be necessary to convert the valid, existing rights  
13      to a long-term easement or other right-of-way.

## 14       **TITLE IX—MISCELLANEOUS** 15       **PROVISIONS**

### 16      **SEC. 901. TRIBAL USES AND INTERESTS.**

17           (a) DEFINITION.—In this section, the term “des-  
18      ignated area” means any land designated as wilderness,  
19      a special management area, a wild or scenic river, an area  
20      of critical environmental concern, a national monument,  
21      or an addition to a unit of the National Park System  
22      under this Act.

23           (b) ACCESS.—The Secretary of the Interior shall en-  
24      sure that members of Indian tribes have access to des-  
25      ignated areas for traditional cultural and religious pur-

1 poses, consistent with applicable law, including Public Law  
2 95–341 (commonly known as the American Indian Reli-  
3 gious Freedom Act; 42 U.S.C. 1996).

4 (c) TEMPORARY CLOSURE.—

5 (1) IN GENERAL.—In accordance with applica-  
6 ble law, including Public Law 95–341 (commonly  
7 known as the American Indian Religious Freedom  
8 Act; 42 U.S.C. 1996), and subject to paragraph (2),  
9 the Secretary of the Interior, on request of an In-  
10 dian tribe or Indian religious community, shall tem-  
11 porarily close to general public use any portion of a  
12 designated area to protect the privacy of traditional  
13 cultural and religious activities in the designated  
14 area by members of the Indian tribe or Indian reli-  
15 gious community.

16 (2) LIMITATION.—In closing a portion of a des-  
17 ignated area under paragraph (1), the Secretary  
18 shall limit the closure to the smallest practicable  
19 area for the minimum period necessary for the tradi-  
20 tional cultural and religious activities.

21 (d) TRIBAL CULTURAL RESOURCES MANAGEMENT  
22 PLAN.—

23 (1) IN GENERAL.—Not later than two years  
24 after the date of enactment of this Act, the Sec-  
25 retary of the Interior shall develop and implement a

1 tribal cultural resources management plan to iden-  
2 tify, protect, and conserve cultural resources of In-  
3 dian tribes associated with the Xam Kwatchan Trail  
4 network extending from Avikwaame (Spirit Moun-  
5 tain, Nevada) to Avikwlal (Pilot Knob, California).

6 (2) CONSULTATION.—The Secretary shall con-  
7 sult on the development and implementation of the  
8 tribal cultural resources management plan under  
9 paragraph (1) with—

10 (A) each of—

- 11 (i) the Chemehuevi Indian Tribe;
- 12 (ii) the Hualapai Tribal Nation;
- 13 (iii) the Fort Mojave Indian Tribe;
- 14 (iv) the Colorado River Indian Tribes;
- 15 (v) the Quechan Indian Tribe; and
- 16 (vi) the Cocopah Indian Tribe; and

17 (B) the Advisory Council on Historic Pres-  
18 ervation.

19 (3) RESOURCE PROTECTION.—The tribal cul-  
20 tural resources management plan developed under  
21 paragraph (1) shall—

22 (A) be based on a completed tribal cultural  
23 resources survey; and

24 (B) include procedures for identifying, pro-  
25 tecting, and preserving petroglyphs, ancient

1 trails, intaglios, sleeping circles, artifacts, and  
2 other resources of cultural, archaeological, or  
3 historical significance in accordance with all ap-  
4 plicable laws and policies, including—

5 (i) chapter 2003 of title 54, United  
6 States Code;

7 (ii) Public Law 95–341 (commonly  
8 known as the American Indian Religious  
9 Freedom Act; 42 U.S.C. 1996);

10 (iii) the Archaeological Resources Pro-  
11 tection Act of 1979 (16 U.S.C. 470aa et  
12 seq.);

13 (iv) the Native American Graves Pro-  
14 tection and Repatriation Act (25 U.S.C.  
15 3001 et seq.); and

16 (v) Public Law 103–141 (commonly  
17 known as the Religious Freedom Restora-  
18 tion Act of 1993; 42 U.S.C. 2000bb et  
19 seq.).

20 (e) WITHDRAWAL.—Subject to valid existing rights,  
21 all Federal land within the area administratively with-  
22 drawn and known as the “Indian Pass Withdrawal Area”  
23 is permanently withdrawn from—

24 (1) all forms of entry, appropriation, or disposal  
25 under the public land laws;

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

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

6 **SEC. 902. MILITARY ACTIVITIES.**

7 Nothing in this Act—

8           (1) restricts or precludes Department of De-  
9 fense motorized access by land or air—

10                   (A) to respond to an emergency within a  
11 wilderness area or wilderness addition des-  
12 ignated by this Act; or

13                   (B) to control access to the emergency site;

14           (2) prevents nonmechanized military training  
15 activities previously conducted on the public lands  
16 designated as a wilderness area or wilderness addi-  
17 tion by this Act that are consistent with—

18                   (A) the Wilderness Act (16 U.S.C. 1131 et  
19 seq.); and

20                   (B) all applicable laws (including regula-  
21 tions);

22           (3) restricts, precludes, limits, or prevents low-  
23 level overflights of military aircraft over a wilderness  
24 area or wilderness addition designated by this Act,  
25 the Mojave Trails Special Management Area, a

1 Monument created by this Act, or an off-highway ve-  
2 hicle recreation area established by this Act, includ-  
3 ing military overflights that can be seen or heard  
4 within the designated areas;

5 (4) restricts, precludes, limits, or prevents flight  
6 testing and evaluation in the areas described in  
7 paragraph (3); or

8 (5) restricts, precludes, limits, or prevents the  
9 designation or creation of new units of special use  
10 airspace, or the establishment of military flight  
11 training routes, over the areas described in para-  
12 graph (3).

13 **SEC. 903. DEED RESTRICTIONS ON DONATED LAND WITHIN**  
14 **THE CALIFORNIA DESERT CONSERVATION**  
15 **AREA.**

16 Effective beginning on the date of enactment of this  
17 Act, within the California Desert Conservation Area, the  
18 Secretary of the Interior 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 to otherwise support the development  
4 of renewable resources; or

5 (B) to satisfy the conditions of—

6 (i) a habitat conservation plan or gen-  
7 eral conservation plan established pursuant  
8 to section 10 of the Endangered Species  
9 Act of 1973 (16 U.S.C. 1539); or

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

12 **SEC. 904. WILDLIFE MANAGEMENT.**

13 (a) IN GENERAL.—Nothing in this Act shall affect  
14 or diminish the jurisdiction of the California Department  
15 of Fish and Wildlife with respect to fish and wildlife man-  
16 agement or conservation, including the regulation of hunt-  
17 ing, fishing, and trapping, with respect to any wilderness,  
18 special management area, or national monument des-  
19 ignated by this Act.

20 (b) MANAGEMENT ACTIVITIES.—

21 (1) IN GENERAL.—In furtherance of the pur-  
22 poses and principles of the Wilderness Act, manage-  
23 ment activities to maintain or restore fish and wild-  
24 life populations and the habitats to support such  
25 populations shall be permitted on lands designated

1 as wilderness by this Act when consistent with wild-  
2 life conservation objectives of the California Depart-  
3 ment of Fish and Wildlife in accordance with appro-  
4 priate policies such as those set forth in Appendix  
5 B of House Report 101–405, including the occa-  
6 sional and temporary use of motorized vehicles, me-  
7 chanical equipment, and aircraft when such use will  
8 enhance the existence of or promote healthy, viable,  
9 and more naturally distributed wildlife populations  
10 as determined by the California Department of Fish  
11 and Wildlife, which holds the public trust responsi-  
12 bility for wildlife conservation and that would en-  
13 hance wilderness values and accomplish those pur-  
14 poses with the minimum impact necessary to reason-  
15 ably accomplish the task.

16 (2) APPLICABILITY TO ADDITIONAL LANDS.—  
17 This subsection also shall apply to each of those wil-  
18 derness areas established by the California Desert  
19 Protection Act of 1994, including wilderness areas  
20 established within the Mojave National Preserve,  
21 and any public lands that were transferred to the  
22 units of the National Park System known as Death  
23 Valley National Park and Joshua Tree National  
24 Park to increase the size of those units.

1           (c) EXISTING ACTIVITIES.—Consistent with section  
2 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and  
3 in accordance with appropriate policies such as those set  
4 forth in Appendix B of House Report 101–405, the Cali-  
5 fornia Department of Fish and Wildlife and its agents  
6 shall have the authority to continue to use aircraft and  
7 other motorized equipment, including helicopters, to sur-  
8 vey, capture, transplant, monitor, and provide water for  
9 wildlife populations, including bighorn sheep.

10           (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—

11           (1) IN GENERAL.—The Secretary of the Inte-  
12 rior shall authorize additional structures and facili-  
13 ties, as well as the continued presence of existing  
14 anthropomorphic structures and facilities, for wild-  
15 life water development projects where determined  
16 necessary to benefit wildlife by the California De-  
17 partment of Fish and Wildlife in the wilderness  
18 areas and the national monuments created by this  
19 Act.

20           (2) APPLICABILITY TO ADDITIONAL LANDS.—

21 This subsection shall also apply to those wilderness  
22 areas established by the California Desert Protection  
23 Act of 1994, as well as in those expanded areas of  
24 Death Valley National Park and Joshua Tree Na-  
25 tional Park that formerly were administered by the

1 Bureau of Land Management, and to the national  
2 monuments and all special management areas estab-  
3 lished by this Act and within the Mojave National  
4 Preserve if—

5 (A) the structures and facilities will en-  
6 hance, as determined by the California Depart-  
7 ment of Fish and Wildlife, the wilderness values  
8 or values of the national monuments or special  
9 management areas, as the case may be, by pro-  
10 moting healthy, viable and more naturally dis-  
11 tributed wildlife populations; and

12 (B) the visual impacts of the structures  
13 and facilities on the areas are minimized.

14 **SEC. 905. LIMITATION ON EXTENSION OR ESTABLISHMENT**  
15 **OF NATIONAL MONUMENTS.**

16 (a) DEFINITION.—In this section, the term “des-  
17 igned area” means any land designated as an off-high-  
18 way vehicle recreation area under title I, a special manage-  
19 ment area under title VI or VII, or a future addition to  
20 the Mojave National Preserve under section 303.

21 (b) LIMITATION.—No extension or establishment of  
22 any national monument that would include any designated  
23 area may be undertaken by the President under section  
24 320301 of title 54, United States Code (commonly known

1 as the Antiquities Act of 1906), except by express author-  
2 ization of Congress.

3 **SEC. 906. CATEGORICAL EXCLUSION FOR EASTERN INYO**  
4 **COUNTY BROADBAND CORRIDOR.**

5 Notwithstanding any other provision of law, a project  
6 to install and operate a fiberoptic cable by Inyo County,  
7 California, along a route generally depicted on the map  
8 entitled “Proposed Eastern Inyo Broadband Corridor”  
9 and dated September 28, 2015, shall be eligible for a cat-  
10 egorical exclusion (as defined in section 1508.4 of title 40,  
11 Code of Federal Regulations) for purposes of the National  
12 Environmental Policy Act of 1969 (42 U.S.C. 4321 et  
13 seq.).

○