OHMVR COMMISSION MEETING  
El Dorado County Board of Supervisors Chambers  
September 15, 2012

STAFF REPORT: Legislation Update  
STAFF: Dan Canfield, Planning Manager  
SUBJECT: California and Federal Legislation

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 August 30, 2012. Changes in status of some bills, or introduction of new bills, may occur between the date this report was prepared and the Commission meeting date.

Discussion

CALIFORNIA LEGISLATION UPDATE

Assembly Bill 1595 (Cook): Recreational Off-Highway Vehicles

Summary: This bill establishes a definition for Recreational Off-Highway Vehicles (ROVs) in the California Vehicle Code (CVC). It also includes language which addresses safety concerns related to the operation of ROVs such as: sets an age limit and/or requires direct supervision by an authorized adult or parent/guardian, requires operators of ROVs to wear helmets, passengers must be able to grip the safety bar and have their feet on the floor while securely seat-belted into a seat, and it makes it illegal to install after-market seats in locations not originally provided by the manufacturer.

Status: Legislation was approved by Governor Edmund G. Brown on July 24, 2012, and will become effective on January 1, 2013.

FEDERAL LEGISLATION

HR 6286 (Sam Farr, D-CA17): Clear Creek National Recreation and Conservation Act of 2012

Summary: Introduced on August 2, 2012, this legislation proposes to establish the Clear Creek National Recreation Area to promote environmentally responsible high quality motorized and non-motorized trail based recreation, including off-highway
vehicle use, scenic touring, access for hunting and gem collecting, while protecting ecological, geological, scenic, cultural, and historical resources, fish and wildlife values, and other resources of the landscape. The area proposed would consist of approximately 75,000 acres of Federal land in San Benito and Fresno Counties.

**Status:** Bill referred to House Natural Resources Committee and Subcommittee on National Parks, Forests and Public Lands on August 14, 2012.

**HR 4109 (Elton Gallegly, R-CA24): Los Padres Conservation and Recreation Act of 2012**

**Summary:** Introduced February 29, 2012, this bill designates additional National Forest System land in the Los Padres National Forest in the State of California as wilderness to make certain wild and scenic river designations in that National Forest, to designate the Condor Ridge Scenic Area, to address off-highway vehicle use in that National Forest, to facilitate a land exchange with the United Water Conservation District of California, and for other purposes.

**Status:** Bill referred to House Natural Resources Committee/ Subcommittee on National Parks, Forests and Public Lands on February 29, 2012.

**Commission Action**

For information only.

**Attachments**

- AB 1595 – OHMVR Division Information Bulletin, Number 01, August 15, 2012
- AB 1595 – Full Bill Text
- HR 6286 – Full Bill Text
- HR 4109 – Full Bill Text
- HR 4109 – Maps of proposed Los Padres National Forest OHV areas
Assembly Bill 1595
Recreational Off-Highway Vehicles

What is it?
Assembly Bill 1595 (Cook) was approved by Governor Edmund G. Brown on July 24, 2012. This law will add a definition for Recreational Off-Highway Vehicle (ROV) to the California Vehicle Code (CVC). This law will also provide rules regulating the operation of ROV’s. AB 1595 is a manufacturer association sponsored bill designed to address concerns for the safe operation of ROV’s. The bill authors’ office contacted the Off-Highway Motor Vehicle Recreation Division for technical review. The law will become effective on January 1st, 2013.

What does the bill do?
Defines an ROV as meeting the following criteria; CVC Section 500:

a. Designed by the manufacturer for operation primarily off of the highway.
b. Has a steering wheel for control.
c. Has non-straddle seating provided by the manufacturer for the operator and all passengers.
d. (1) Has a maximum speed capability of greater than 30 miles per hour.
   (2) A vehicle designed by the manufacturer with a maximum speed capability of 30 miles per hour or less, but is modified so that it has a maximum speed capability of greater than 30 miles per hour is an ROV.
e. Has an engine displacement equal to or less than 1,000cc (61 ci).

Operational and Safety Requirements; Division 16.5, CVC Sections:

a. 38600: Operator of a ROV shall be at least 16 years of age, or be directly supervised in the vehicle by a parent or guardian or adult authorized by the parent or guardian.
b. 38601: Safety helmet required for operator and passengers of ROV (reference 27802)
c. 38602: Seat/shoulder belt or safety harness required to be worn when ROV is in motion.
d. 38603: Operator of ROV shall not allow passenger to occupy a separate seat location not designed and provided by the manufacturer for a passenger.
e. 38604: Operator of ROV shall not allow a passenger unless the passenger is seated upright with back against seatback, both feet flat on floor board, and can grasp the occupant handhold with the seatbelt/safety harness properly fastened.

Next Steps
- The bill authors’ office is aware of public concerns with certain sections of the bill and is actively looking at ways to address them with amendments.
- Comments, suggested improvements to the bill and concerns may be sent to: ohvinfo@parks.ca.gov with a subject line of AB 1595. The Off-highway Motor Vehicle recreation Division will respond to all inquiries.
Assembly Bill No. 1595

CHAPTER 165

An act to amend Section 38012 of, to add Section 500 to, and to add Chapter 8 (commencing with Section 38600) to Division 16.5 of, the Vehicle Code, relating to vehicles.

[Approved by Governor July 24, 2012. Filed with Secretary of State July 24, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1595, Cook. Vehicles: recreational off-highway vehicles.

(1) Existing law establishes rules for the operation of, and requirements for equipment of, an off-highway vehicle. A violation of these rules and requirements is a crime.

This bill would define an off-highway motor vehicle to include a recreational off-highway vehicle, as defined. The bill would establish additional requirements governing the operation of a recreational off-highway vehicle. Because a violation of these provisions is a crime, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

SECTION 1. Section 500 is added to the Vehicle Code, to read:

500. "Recreational off-highway vehicle" means a motor vehicle meeting all of the following criteria:

(a) Designed by the manufacturer for operation primarily off of the highway.
(b) Has a steering wheel for steering control.
(c) Has nonstraddle seating provided by the manufacturer for the operator and all passengers.
(d) (1) Has a maximum speed capability of greater than 30 miles per hour.
(2) A vehicle designed by the manufacturer with a maximum speed capability of 30 miles per hour or less but is modified so that it has a maximum speed capability of greater than 30 miles per hour satisfies the criteria set forth in this subdivision.
(e) Has an engine displacement equal to or less than 1,000cc (61 ci).
SEC. 2. Section 38012 of the Vehicle Code is amended to read:

38012. (a) As used in this division, “off-highway motor vehicle subject to identification” means a motor vehicle subject to subdivision (a) of Section 38010.

(b) As used in this division, “off-highway motor vehicle” includes, but is not limited to, the following:

1. A motorcycle or motor-driven cycle, except for any motorcycle that is eligible for a special transportation identification device issued pursuant to Section 38088.

2. A snowmobile or other vehicle designed to travel over snow or ice, as defined in Section 557.

3. A motor vehicle commonly referred to as a sand buggy, dune buggy, or all-terrain vehicle.

4. A motor vehicle commonly referred to as a jeep.

5. A recreational off-highway vehicle as defined in Section 500.

SEC. 3. Chapter 8 (commencing with Section 38600) is added to Division 16.5 of the Vehicle Code, to read:

Chapter 8. Recreational Off-Highway Vehicles

38600. A person operating a recreational off-highway vehicle shall be at least 16 years of age, or be directly supervised in the vehicle by a parent or guardian or by an adult authorized by the parent or guardian.

38601. A person shall not operate, or allow a passenger in, a recreational off-highway vehicle unless the person and the passenger are wearing safety helmets meeting the requirements established for motorcycles and motorized bicycles pursuant to Section 27802.

38602. A person operating, and any passenger in, a recreational off-highway vehicle shall wear a seatbelt and shoulder belt or safety harness that is properly fastened when the vehicle is in motion.

38603. A person operating a recreational off-highway vehicle shall not allow a passenger to occupy a separate seat location not designed and provided by the manufacturer for a passenger.

38604. A person operating a recreational off-highway vehicle shall not ride with a passenger, unless the passenger, while seated upright with his or her back against the seatback with both feet flat on the floorboard, can grasp the occupant handhold with the seatbelt and shoulder belt or safety harness properly fastened.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime.
within the meaning of Section 6 of Article XIII B of the California Constitution.
H. R. 6286

To establish the Clear Creek National Recreation Area in the State of California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2012

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

A BILL

To establish the Clear Creek National Recreation Area in the State of California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Clear Creek National Recreation Area and Conservation Act of 2012”.

SEC. 2. DEFINITIONS.

In this Act:

(1) MANAGEMENT PLAN.—The term “management plan” means the Plan for the Recreation Area prepared under section 4(c).
(2) Recreation Area.—The term “Recreation Area” means the Clear Creek National Recreation Area.

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

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

SEC. 3. ESTABLISHMENT OF CLEAR CREEK NATIONAL RECREATION AREA.

(a) In General.—To promote environmentally responsible high-quality motorized and non-motorized trail based recreation, including off-highway vehicle use, scenic touring, access for hunting and gem collecting, while protecting ecological, geological, scenic, cultural, and historic resources, fish and wildlife values, and other resources of the landscape, there is established the Clear Creek National Recreation Area in the State, to be managed by the Secretary.

(b) Boundaries.—The Recreation Area shall consist of approximately 75,000 acres of Federal land in San Benito County and Fresno County, California, as generally depicted on the map entitled “Clear Creek National Recreation Area” and dated July 30, 2012.

(c) Map.—
(1) **IN GENERAL.**—As soon as practicable, after the date of the enactment of this Act, the Secretary shall submit a map and legal description of the Recreation Area to—

(A) the Committee on Natural Resources of the House of Representatives; and
(B) the Committee on Energy and Natural Resources of the Senate.

(2) **AVAILABILITY.**—Copies of the map submitted under paragraph (1) shall be on file and available for public inspection in—

(A) the Office of the Director of the Bureau of Land Management; and
(B) the appropriate office of the Bureau of Land Management in California.

**SEC. 4. MANAGEMENT.**

(a) **IN GENERAL.**—The Secretary shall manage the Recreation Area to further the purposes described in section 3(a), in accordance with—

(1) this Act;
(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
(3) any other applicable law.

(b) **USES.**—The Secretary shall—
(1) allow hiking, camping, hunting, gem collecting, and sightseeing and the use of motorized vehicles, mountain bikes, and horses on designated roads, trails, and areas;

(2) issue special recreation permits for motorized and non-motorized events; and

(3) reopen the Clear Creek Management Area to the uses described in this subsection as soon as practicable following the enactment of this Act and in accordance with the management guidelines outlined in this Act and other applicable law.

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

(d) PERMANENT MANAGEMENT PLAN.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall create a comprehensive management plan for the Clear Creek Recreation Area that—
(1) shall describe the appropriate uses and management of the Recreation Area in accordance with this Act;

(2) shall be prepared in consultation with—

(A) appropriate Federal, State, and local agencies (including San Benito, Monterey, and Fresno Counties);

(B) adjacent land owners; and

(C) other stakeholders (including conservation and recreational organizations);

(3) shall include a hazards education program to inform people entering the Recreation Area of the asbestos related risks associated with various activities within the Recreation Area, including, but not limited to, off-highway vehicle recreation;

(4) shall include a user fee program for motorized vehicle use within the Recreational Area and guidelines for the use of the funds collected for the management and improvement of the Recreation Area;

(5) may incorporate any appropriate decisions, as determined by the Secretary, in accordance with this Act, that are contained in any management or activity plan for the area completed before the date of the enactment of this Act;
(6) may incorporate appropriate wildlife habitat management plans or other plans prepared for the land within or adjacent to the Recreation Area before the date of the enactment of this Act, in accordance with this Act;

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

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

(e) ACQUISITION OF PROPERTY.—

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

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

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

(B) this Act; and
(C) any other applicable law (including regulations).

(3) IMPROVED ACCESS.—The Secretary may acquire by purchase from willing sellers, donation, exchange, or easement, land, or interest in land to improve public safety in providing access to the Recreation Area.

(f) PRIVATE PROPERTY.—

(1) ACCESS TO PRIVATE PROPERTY.—

(A) IN GENERAL.—The Secretary shall provide landowners adequate access to inholdings within the Recreation Area.

(B) INHOLDINGS.—For access purposes, private land adjacent to the Recreation Area to which there is no other practicable access except through the Recreation Area shall be managed as an inholding.

(2) USE OF PRIVATE PROPERTY.—Nothing in this Act affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

(3) BUFFER ZONES.—Nothing in this Act creates a protective perimeter or buffer zone around the Recreation Area.
(4) VALID RIGHTS.—Nothing in this Act affects any easements, rights-of-way, and other valid rights in existence on the date of the enactment of this Act.

(g) WATER RIGHT EXCLUSION.—Nothing in this Act—

(1) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the Recreation Area; or

(2) shall affect any water rights existing on the date of the enactment of this Act.

(h) HUNTING AND FISHING.—Nothing in this Act—

(1) limits hunting or fishing; or

(2) affects the authority, jurisdiction, or responsibility of the State to manage, control, or regulate fish and resident wildlife under State law (including regulations), including the regulation of hunting or fishing on public land managed by the Bureau of Land Management.

(i) MOTORIZED VEHICLES.—Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles on public land in the Recreation Area shall be per-
mitted only on roads, trails, and areas designated by the
management plan for the use by motorized vehicles.

(j) GRAZING.—In the Recreation Area, the grazing
of livestock in areas in which grazing is allowed as of the
date of the enactment of this Act shall be allowed to con-
tinue, consistent with—

(1) this Act;

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

(3) any regulations promulgated by the Sec-
retary, acting through the Director of the Bureau of
Land Management.

(k) WITHDRAWAL.—Subject to valid existing rights,
all Federal land within the Recreation Area is withdrawn
from—

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

(2) location, entry, and patenting under the
mining laws; and

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

(l) FEES.—Amounts received by the Secretary under
the fee structure required by subsection (e)(3)(G) shall
be—
(1) deposited in a special account in the Treasury of the United States; and

(2) made available until expended, without further appropriation, to the Secretary for use in the Recreation Area.

(m) **Risk Standard.**—The National Oil and Hazardous Substances Pollution Contingency Plan (40 C.F.R. 300), published pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605), shall not apply to the Secretary’s management of asbestos exposure risks faced by the public when recreating within the Clear Creek Recreation Area described in section 3(b).

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

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 21,000 acres of Federal lands located in Fresno County and San Benito County, California, and generally depicted on a map entitled “Proposed Joaquin Rocks Wilderness” and dated March 11, 2012, is designated as wilderness areas and as components of the National Wilderness Preservation System and shall be known as the “Joaquin Rocks Wilderness”.

SEC. 6. CLEAR CREEK MANAGEMENT AREA WILD AND SCENIC RIVERS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following paragraphs:

“(208) Larious Canyon.—The approximately 5.25 miles of Larious Canyon Creek from its source near Idria Peak in Section 6, R12E, T18S, to the boundary of the Clear Creek Special Recreation Management Area in Section 23, R11E, T17S.

“(209) San Carlos Creek.—The approximately 5.51 miles of the East Fork San Carlos Creek from its source near San Benito Mountain in Section 10, R12E, T18S, to the boundary of the Clear Creek Special Recreation Management Area in Section 22, R12E, T17S.

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

“(211) Picacho Creek.—The approximately 2.65 miles of Picacho Creek, from its source spring in Section 20, R12E, T18S, to its confluence with the San Benito River.

“(212) White Creek and Tributaries.—
“(A) The approximately 5.37 miles of White Creek, from its source in Section 36, R12E, T18S, to the boundary of the Clear Creek Special Recreation Management Area in Section 17, R13E, T19S.

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

“(C) The approximately 2.45 miles of the unnamed tributary of White Creek from its source in Section 33, R13E, T18S, to its confluence with White Creek.”.
To designate additional National Forest System land in the Los Padres National Forest in the State of California as wilderness, to make certain wild and scenic river designations in that National Forest, to designate the Condor Ridge Scenic Area, to address off highway vehicle use in that National Forest, to facilitate a land exchange with the United Water Conservation District of California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 29, 2012

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

A BILL

To designate additional National Forest System land in the Los Padres National Forest in the State of California as wilderness, to make certain wild and scenic river designations in that National Forest, to designate the Condor Ridge Scenic Area, to address off highway vehicle use in that National Forest, to facilitate a land exchange with the United Water Conservation District of California, and for other purposes.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Los Padres Conservation and Recreation Act of 2012”.

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

Sec. 1. Short title and table of contents.
Sec. 2. Definitions.
Sec. 3. Findings, purpose, recreational opportunities and access, and effect on existing uses.
Sec. 4. False surveys within the National Forest.

TITLE I—ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM

Sec. 101. Designation of wilderness, Los Padres National Forest.
Sec. 102. Administration.

TITLE II—ADDITIONS TO NATIONAL WILD AND SCENIC RIVER SYSTEM

Sec. 201. Designation of wild and scenic rivers.

TITLE III—CONDOR RIDGE SCENIC AREA

Sec. 301. Condor Ridge Scenic Area, Los Padres National Forest.
Sec. 302. Administration.

TITLE IV—OFF HIGHWAY VEHICLE USE

Sec. 401. Designation of roads and trails for off highway vehicle use.
Sec. 402. Designation of off highway vehicle areas.
Sec. 403. Construction of new trails.

TITLE V—LAND EXCHANGE

Sec. 501. Short title.
Sec. 502. Land exchange, Los Padres National Forest.

SEC. 2. DEFINITIONS.

In this Act:

(1) NATIONAL FOREST.—The term “National Forest” means the Los Padres National Forest in the State of California.

(2) OVERVIEW MAP.—The term “overview map” means the map entitled “Wilderness, Scenic
Area, OHV Area and Route Proposal-Los Padres Conservation and Recreation Act, 2012”, which was created February 27, 2012, by Forest Service, Region 5 Geospatial Services and is available for inspection at the Pacific Southwest Regional Office in Vallejo, California.

(3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

SEC. 3. FINDINGS, PURPOSE, RECREATIONAL OPPORTUNITIES AND ACCESS, AND EFFECT ON EXISTING USES.

(a) FINDINGS.—Congress makes the following findings:

(1) The Los Padres National Forest contains important recreational, ecological, and scenic values, and provides opportunities for a wide array of recreational activities, including fishing, hiking, hunting, the use of motorized vehicles, camping, rock hounding, mountain biking, sport shooting, and nature observation.

(2) The wilderness and wild and scenic river designations made by this Act have been carefully reviewed to ensure that the designations will not adversely affect motorized vehicle access to the National Forest.
(3) This Act will protect important recreational opportunities within the National Forest through the establishment of recreation areas, wilderness areas, and other measures.

(4) The wilderness areas, scenic area, and wild and scenic rivers established by this Act have outstanding ecological, recreational, and scenic values and will provide important benefits to communities surrounding the National Forest.

(5) This Act will not affect use of motorized vehicles on current legal routes, as established by the Los Padres National Forest Motor Vehicle Use Maps.

(6) This Act will not affect current, legal access, as established by the Los Padres National Forest, for rockhounding within the National Forest.

(b) PURPOSE.—The purpose of this Act is to conserve, protect, and enhance the outstanding recreational, ecological, scenic, archaeological, cultural, historic, and other resources of the Los Padres National Forest in the State of California.

(c) RECREATIONAL OPPORTUNITIES AND VALUES.—

(1) RECREATIONAL OPPORTUNITIES.—It is the intent of Congress that the Secretary of Agriculture
should maintain diverse recreational opportunities within the National Forest.

(2) RECREATIONAL VALUES.—It is the intent of Congress that there should be no net loss of recreational values, including (but not limited to) motorized recreation, in the National Forest.

(d) ACCESS FOR PERSONS WITH DISABILITY.—The Secretary shall endeavor to expand access to the National Forest to all people, including people with disabilities.

(e) TRAIL CONSTRUCTION, MAINTENANCE, AND REPAIR.—It is the sense of Congress that, with respect to the National Forest, the Secretary should fully utilize existing partnership authorities—

(1) to construct the trails required by section 403; and

(2) to maintain and repair roads and trails (including maintenance and repair to prevent the need to close a road or trail for disrepair) for off highway vehicles.

SEC. 4. FALSE SURVEYS WITHIN THE NATIONAL FOREST.

The Secretary of Agriculture shall endeavor to correct all incorrect land surveys involving lands located in the Los Padres National Forest.
TITLE I—ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 101. DESIGNATION OF WILDERNESS, LOS PADRES NATIONAL FOREST.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following National Forest System lands in the State of California administered as part of the Los Padres National Forest are designated as wilderness and as additions to existing components of the National Wilderness Preservation System:

(1) Certain National Forest System lands comprising approximately 1,878 acres, as generally depicted as the “Proposed Additions to Dick Smith Wilderness—East” on the overview map and approximately 32,676 acres, as generally depicted as the “Proposed Additions to Dick Smith Wilderness Additions—South & West” on the overview map, which are added to and shall be administered as part of the Dick Smith Wilderness designated by section 101(a)(6) of the California Wilderness Act of 1984 (Public Law 98–425; 98 Stat. 1620).

(2) Certain National Forest System lands comprising approximately 15,382 acres, as generally de-
picted as the “Proposed Additions to Matilija Wilderness Additions—North & East” on the overview map, which are added to and shall be administered as part of the Matilija Wilderness designated by section 2(2) of Public Law 102–301 (106 Stat. 242).

(3) Certain National Forest System lands comprising approximately 4,926 acres, as generally depicted as the “Proposed Additions to Sespe Wilderness Additions—North” on the overview map and approximately 8,714 acres, as generally depicted as the “Proposed Additions to Sespe Wilderness Additions—West” on the overview map, which are added to and shall be administered as part of the Sespe Wilderness designated by section 2(1) of Public Law 102–301 (106 Stat. 242).

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) FILING.—The Secretary of Agriculture shall file the overview map and a map and a legal description of each wilderness area expanded by this section with—

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

(B) the Committee on Natural Resources of the House of Representatives.
(2) Force of Law; Corrections.—The overview map and the maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct any technical errors in the maps and legal descriptions.

(3) Public Availability.—The overview map and the maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) Roadway Setback.—In preparing the maps and legal descriptions required by subsection (b), the Secretary shall ensure that there is a setback of at least 1,000 feet from the center-line of California State Route 33 to the boundary of the land designated as wilderness by this section.

SEC. 102. Administration.

(a) In General.—Subject to valid existing rights, the land designated as wilderness by this title shall be administered by the Secretary of Agriculture in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that, with respect to such land, any reference in the Wilderness Act to the effective date of the Wilderness Act
shall be considered to be a reference to the date of the enactment of this Act.

(b) Incorporation of Acquired Land and Interests.—Any land within the boundary of a wilderness area expanded by this title that is acquired by the United States shall—

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

(2) be managed in accordance with this Act and any other applicable law; and

(3) not allow for new power to regulate wilderness laws on adjoining private land.

(c) Buffer Zones.—

(1) In general.—Congress does not intend for the designation of land as wilderness by this title to lead to the creation of protective perimeters or buffer zones beyond the border of each wilderness area expanded by this title.

(2) Activities or Uses Up to Boundaries.—The fact that non-wilderness activities or uses can be seen or heard from land designated as wilderness by this title shall not preclude or provide the basis to regulate the activities or uses up to the boundary of each wilderness area expanded by this title.
(d) **Fish and Wildlife.**—Nothing in this section affects the jurisdiction or responsibilities of the State of California with respect to fish and wildlife.

(e) **Fire Management and Related Activities.**—

(1) **In General.**—The Secretary may take such measures with respect to land designated as wilderness by this title, as are necessary for the prevention and control of fire, insects, and diseases in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and House Report 98–40 of the 98th Congress.

(2) **Authorized Measures for Fire Suppression and Presuppression.**—For purposes of responding to a wildfire that threatens a community, the designation of land as wilderness by this title shall not be construed as interfering with, or preventing, the use by the Secretary, the Forest Supervisor, or a Federal Incident Commander of any modern method of fire suppression and prevention on the designated land, including methods involving the use of mechanized heavy equipment.

(3) **Fire Pre-suppression Policy.**—The Secretary shall use existing authority and available resources to implement fire pre-suppression activities.
to reduce the risk posed to neighboring communities by wildfire and by post-wildfire hazards on the land designated as wilderness by this title.

(4) **Pre-suppression Activities.—**

(A) In general.—In carrying out pre-suppression activities on the land designated as wilderness by this title, the Secretary may use motorized equipment and mechanized transport, including chainsaws, helicopters, portable water pumps, heavy equipment, and motorized vehicles.

(B) Implementation.—Implementation of pre-suppression activities under subparagraph (A) shall be consistent with wilderness values and shall consider the impact of the pre-suppression activities on wildfire management of adjacent non-Federal lands.

(f) **Coordination With California Department of Transportation.—** In managing the land designated as wilderness by this title located along California State Route 33, the Secretary shall coordinate with the California Department of Transportation in order to identify, and mutually agree upon, mechanisms by which the California Department of Transportation can continue to maintain and operate State Route 33 without interrup-
tion, especially during expedited emergency lifeline repair projects, while concurrently working to address and achieve the management goals of these wilderness designations.

(g) **OVERFLIGHTS.**—Nothing in this Act shall preclude low-level overflights of military aircraft, the designation of new units of special airspace, or the use or establishment of military flight training routes over the land designated as wilderness by this title.

(h) **GRAZING.**—With respect to the land designated as wilderness by this title, the grazing of livestock and the maintenance of existing structures that are used for grazing, in areas in which grazing is established as of the date of enactment of this Act shall be allowed to continue consistent with section 4(d)(4) of the Wilderness Act (16 U.S.C. 133(d)(4)) and the guidelines described in Appendix A of House Report 101–405.

(i) **APPLICABILITY TO ENTIRE WILDERNESS AREA.**—The provisions of this section shall apply to the entirety of each wilderness area expanded by this title, not just to land designated as wilderness by this title.

(j) **PRIVATE LAND ISOLATED INSIDE NEW WILDERNESS ADDITIONS.**—If private lands are in any way made inaccessible by motorized vehicles due to the designation of land as wilderness by this title, the lawful owner of such
property shall be allowed right of way to their property with motor vehicles in a manner to which they were accus-
tomed before the date of the enactment of this Act.

**TITLE II—ADDITIONS TO NATIONAL WILD AND SCENIC RIVER SYSTEM**

**SEC. 201. DESIGNATION OF WILD AND SCENIC RIVERS.**

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end of the following:

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“(_____) UPPER PIRU CREEK, CALIFORNIA.—

“(A) DESIGNATION.—Approximately 38.5 miles of Upper Piru Creek from its headwaters within the Sespe Wilderness in the southwest corner of Sec 3, T6N, R22W, SBBM, to the confluence with Buck Creek, to be administered by the Secretary of Agriculture in the following classes:

“(i) The approximately 5.8-mile seg-
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“(ii) The approximately 20.4-mile segment from the Sespe Wilderness boundary along the eastern edge of Sec 31, T7N, R21W, SBBM, to one-quarter mile below Gold Hill crossing in Sec 18, T7N, R19W, SBBM), as a scenic river.

“(iii) The approximately 4.7-mile segment from one-quarter mile below Gold Hill crossing Sec 18, T7N, R19W, SBBM to the Castaic Mine located on private land in Sec 22, T7N, R19W, SBBM, as a wild river.

“(iv) The approximately 7.25-mile segment from Castaic Mine located on private land in Sec 22, T7N, R19W, SBBM, to the confluence with Buck Creek, as a scenic river.

“(B) Effect of designation.—Nothing in subparagraph (A) shall affect the designated use, including motorized and mechanized vehicles, of all trails adjacent to and crossing Upper Piru Creek.

“(____) Upper Sespe Creek, California.—

“(A) Designation.—Approximately 11.5 miles of Upper Sespe Creek from the confluence
of Chorro Grande Canyon to the confluence of Rock Creek in the northwest ¼ of Sec 5, T5N, R22W, SBBM, to be administered by the Secretary of Agriculture in the following classes:

“(i) The approximately 9.5-mile segment from the confluence of Chorro Grande Canyon to the section line dividing
Sec 1, T5N, R23W, and Sec 6, T5N, R22W, SBBM, as a recreational river.

“(ii) The approximately 2.0-mile segment from the section line dividing Sec 1, T5N, R23W and Sec 6, T5N, R22W, SBBM to the confluence of Rock Creek in the northwest ¼ of Sec 5, T5N, R22W, SBBM, as a scenic river.

“(B) EFFECT OF DESIGNATION.—Nothing in subparagraph (A) shall effect the maintenance, repair, or improvements of California Highway 33 by the California Department of Transportation.

“(____) MONO CREEK, CALIFORNIA.—Approximately 24.2 miles of Mono Creek from the source to the upper extent of the Mono Debris Basin in the northeast corner of Township 5 N., Range 26 W.,
Section 5, SBBM, to be administered by the Secretary of Agriculture in the following classes:

“(A) The approximately 4.5-mile segment from the source of Mono Creek to the boundary of the Dick Smith Wilderness in Sec 28, T7N, R25W, SBBM, as a wild river.

“(B) The approximately 19.7-mile segment from the boundary of the Dick Smith Wilderness to the upper extent of the Mono Debris Basin in the northeast corner of Sec 5, T5N, R26W, SBBM, as a scenic river.

“(_____ INDIAN CREEK, CALIFORNIA.—Approximately 14.7 miles of Indian Creek from a point in the Dick Smith Wilderness near Bluff Camp in Sec 19, T7N, R26W, SBBM to the upstream extent of the Mono Debris Basin in the northeast corner of Sec 6, T5N, R26W, SBBM, to be administered by the Secretary of Agriculture as a wild river.”

TITLE III—CONDOR RIDGE SCENIC AREA

SEC. 301. CONDOR RIDGE SCENIC AREA, LOS PADRES NATIONAL FOREST.

(a) Establishment and Purposes.—

(1) Establishment.—Subject to valid existing rights, there is established within the Los Padres
National Forest the Condor Ridge Scenic Area (in this title referred to as the “scenic area”).

(2) Area Included.—The scenic area shall consist of approximately 18,520 acres of National Forest System land in the Los Padres National Forest, as generally depicted on the overview map.

(3) Purposes.—The purposes of the scenic area are to conserve, protect, and enhance the outstanding ecological, geological, scenic, recreational, archaeological, cultural, historic, and other resources of the scenic area.

(b) Map and Description.—

(1) Preparation and Submission.—The Secretary of Agriculture shall file a map and legal description of the scenic area with—

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

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

(2) Force of Law; Corrections.—The map and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct any technical errors in the map and legal descriptions.
(3) **Public Availability**.—The map and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(c) **Existing Uses**.—Nothing in this title shall affect recreational uses, including roads, water developments and associated facilities, grazing, mountain bikes, hunting, rock hounding, sport shooting, camping and uses under special use authorizations in the scenic area in existence on the date of enactment of this Act.

**SEC. 302. Administration.**

(a) **In General**.—The Secretary of Agriculture shall—

(1) administer the scenic area—

(A) in furtherance of the purposes of the scenic area described in section 301; and

(B) in accordance with this section and any laws (including regulations) relating to the National Forest System; and

(2) only allow such uses in the scenic area as are consistent with the purposes of the scenic area.

(b) **Motorized Vehicles**.—

(1) **In General**.—Except in cases in which motorized vehicles are needed for administrative purposes, or to respond to an emergency, and as pro-
vided in subsection (c), the use of motorized vehicles
in the scenic area shall be permitted only on roads
and trails designated for use by such vehicles as of
the date of enactment of this Act.

(2) LIMITATION.—Nothing in this section shall
be construed as precluding the Secretary from clos-
ing any road, trail, or area from use for purposes of
resource protection or public safety.

(e) WILDFIRE OPERATIONS.—Nothing in this section
prohibits the Secretary, in cooperation with other Federal,
State, and local agencies, as appropriate, from conducting
wildland fire operations in the scenic area, consistent with
the purposes of the scenic area.

(d) TRAIL MAINTENANCE.—Nothing in this section
shall limit the use of motorized or mechanized equipment
for the maintenance of trails within the scenic area, con-
sistent with the purposes of the scenic area.

(e) MANAGEMENT PLAN.—
(1) IN GENERAL.—Within three years after the
date of enactment of this Act, the Secretary shall
develop a comprehensive management plan for the
long-term management of the scenic area.

(2) ADDITIONAL REQUIREMENT.—The manage-
ment plan shall describe measures necessary to pre-
vent the unauthorized use of motorized vehicles within the scenic area.

(f) Grazing.—The grazing of livestock in the scenic area, where established before the date of enactment of this Act, shall be permitted to continue—

   (1) subject to applicable law; and

   (2) in a manner consistent with the purposes of the scenic area.

(g) Withdrawal.—Subject to valid existing rights, any Federal land within the scenic area is withdrawn from all forms of—

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

   (2) location, entry, and patent under the mining laws.

TITLE IV—OFF HIGHWAY VEHICLE USE

SEC. 401. DESIGNATION OF ROADS AND TRAILS FOR OFF HIGHWAY VEHICLE USE.

(a) Designation.—Except as provided in subsection (e), the following roads and trails in the Los Padres National Forest, as generally depicted as the “Wilderness, Special Management Area, OHV Area and Route Proposal” on the overview map are hereby added to the Motor
Vehicle Use Map for the Los Padres National Forest and are designated for the following use:

1. Forest Road 8N08 from junction with Forest Road 8N09 south including McKinley fire trail and until junction of Forest Road 6N14 and Forest Road 9N11 shall be open to all vehicles 50 inches or less.

2. Forest Road 6N17 from junction with 5N15 to junction with 6N03 Potrero Seco Road shall be open to high clearance vehicles.

3. Forest Road 5N20 connection 5N12 and 5N18 shall be open to highway legal vehicles.

4. Forest Road 5N01 from junction with Forest Roads 5N16 and 5N15 to junction with Potrero Seco Road (6N03) shall be open to high clearance vehicles.

5. Potrero Seco Road (6N03) from junction with Forest Road 5N13 to junction with Forest Road 6N17 shall be open to high clearance vehicles.

6. Ortega Trail shall be open for following uses:

   A. Forest Road 6N01.1 shall be open to highway legal vehicles.
(B) Northern segment of Forest Road 23W08 shall be open to vehicles 50 inches or less.

(C) Southern segment of Forest Road 23W08 shall be open to motorcycles only.

(b) Establishment of Seasons of Use.—The Secretary may establish such seasons of use for the protection of forest resources on the roads and trails designated by subsection (a) as the Secretary considers to be necessary.

(c) Enforcement.—Upon opening a road or trail designated under subsection (a), the Secretary shall develop an enforcement plan to minimize resource damage and prevent intrusions into wilderness areas.

(d) Compliance.—In carrying out this section, the Secretary shall comply with all laws (including regulations) that apply to the National Forest System. Nothing in this section affects authority, otherwise available to the Secretary, to close or reroute trails or roads in accordance with existing law (including regulations).

(e) Exception.—Nothing in this section requires the Secretary to open any road or trail that is closed to prevent adverse impacts to any threatened or endangered species that is protected under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).
SEC. 402. DESIGNATION OF OFF HIGHWAY VEHICLE AREAS.

(a) DESIGNATION.—The following areas in the National Forest are hereby designated as off highway vehicle areas:

(1) Ballinger Canyon OHV Area, as generally depicted on the map entitled “Proposed Ballinger Canyon OHV Area-Los Padres Conservation and Recreation Act, 2012”, which was created on February 27, 2012, by Forest Service, Region 5 Geospatial Services, and is available for inspection at the Pacific Southwest Regional Office in Vallejo, California.

(2) Mt. Pinos OHV Area, as generally depicted on the map entitled “Proposed Mt Pinos OHV Area-Los Padres Conservation and Recreation Act, 2012”, which was created on February 27, 2012, by Forest Service, Region 5 Geospatial Services, and is available for inspection at the Pacific Southwest Regional Office in Vallejo, California.

(b) PURPOSE.—The purpose of the off-highway vehicle recreation areas designated under subsection (a) is to preserve and enhance the recreational opportunities (including opportunities for off-highway vehicle recreation), while conserving the wildlife and other natural resource values of the areas.

(c) MANAGEMENT.—
(1) **Enforcement.**—Nothing in this section affects authority, otherwise available to the Secretary, to close or reroute trails or roads in accordance with existing law (including regulations).

(2) **Condor Protection.**—If it can be demonstrated to the Secretary that off highway vehicle activity has caused a decline in the local California Condor population, the Secretary may close trails within an off highway vehicle area designated by subsection (b) as the Secretary considers necessary.

(3) **Motorized Vehicles.**—Except in cases in which motorized vehicles are needed for administrative purposes, or to respond to an emergency, the use of motorized vehicles in the off highway vehicle areas designated by subsection (a) shall be permitted only on roads and trails designated for the use of motorized vehicles.

(d) **Recreational Values.**—There shall be no net loss of recreational values, including off-highway vehicle recreational values, within the off-highway vehicle recreation areas designated under subsection (a).

**Sec. 403. Construction of New Trails.**

(a) **Study of Feasibility and Interest in New Trails.**—Not later than 18 months after the date of enactment of this Act, but subject to the availability of funds...
for this purpose, the Secretary shall conduct a study and prepare a report on the feasibility and public interest of constructing the following new trails:

(1) A new trail to be known as the “Divide Peak Trail” from junction with Forest Road 5N12 to intersection with Forest Roads 6N03 and 5N13. The trail shall be open to all motor vehicles 50 inches or less in width.

(2) A new trail connecting Forest Service Highway 95 to the existing trail system in the Ballinger Canyon OHV area. The trail shall be open to all vehicles 50 inches or less in width.

(3) A new trail through Lockwood Valley connecting the Ballinger Canyon OHV area and the Mt. Pinos OHV area, from junction with Lockwood Valley road through junction with Forest Road 8N40, continuing through junction with Forest Road 8N06, and ending at junction with Forest Road 9N09A. The trail shall be open to all vehicles 50 inches or less in width.

(b) Construction of Trails.—

(1) Construction Authorized.—Subject to paragraph (2), if the Secretary determines under subsection (a) that the construction of a trail described in such subsection is feasible and in the pub-
lic interest, the Secretary may provide for the construc-

(2) Use of Volunteer Services and Contributions.—A trail may be constructed under this subsection only through the acceptance of volunteer services and contributions from non-Federal sources to eliminate the need for Federal expenditures to construct the trail.

(3) Establishment of Seasons for Use.—The Secretary may establish such seasons of use for the protection of forest resources on the trails constructed under this subsection as the Secretary considers to be necessary.

(c) Effect.—Upon final construction and incorporation of the trail required by subsection (a)(3) into the Motor Vehicle Use Map for the Los Padres National Forest, the Toad Springs road corridor, as generally depicted on the overview map, shall be automatically incorporated in and managed as part of the Chumash Wilderness in accordance with section 2(a)(5) of Public Law 102–301 (106 Stat. 243).

(d) Compliance.—In carrying out this section, the Secretary shall comply with all laws (including regulations) that apply to the National Forest System.
TITLE V—LAND EXCHANGE

SEC. 501. SHORT TITLE.

This title may be cited as the “Los Padres National Forest Land Exchange Act”.

SEC. 502. LAND EXCHANGE, LOS PADRES NATIONAL FOREST.

(a) LAND EXCHANGE.—In exchange for all right, title, and interest of the United Water Conservation District of California (in this section referred to as the “District”) in and to the lands described in subsection (b), the Secretary of Agriculture shall convey to the District all right, title, and interest of the United States in and to the National Forest System lands described in subsection (c). The conveyance of National Forest System lands under this section shall be subject to subjection (g), to valid existing rights, and to such terms, conditions, and reservations as may be required by this section or considered necessary by the Secretary.

(b) LANDS TO BE CONVEYED BY DISTRICT.—The lands to be conveyed by the District under subsection (a) consist of approximately 340 acres located within Township 5 North, Range 18 West, San Bernardino Base and Meridian and are more fully described as follows:

(1) TRACT A.—SE1/4NE1/4 of section 16 (approximately 40 acres).
(2) Tract B.—NE\textsuperscript{1/4}SE\textsuperscript{1/4} of section 16 (approximately 40 acres).

(3) Tract C.—S\textsuperscript{1/2}SE\textsuperscript{1/4} of section 16 (approximately 80 acres).

(4) Tract D.—NE\textsuperscript{1/4} of section 21 (approximately 160 acres).

(5) Tract E.—N\textsuperscript{1/2}SW\textsuperscript{1/4}SW\textsuperscript{1/4} of section 15 (approximately 20 acres).

(e) Lands To Be Conveyed by Secretary.—The National Forest System lands to be conveyed by the Secretary under subsection (a) consist of approximately 440 acres located within Township 5 North, Range 18 West, San Bernardino Base and Meridian and are more fully described as follows:

(1) Tract 1.—E\textsuperscript{1/2}SW\textsuperscript{1/4} of section 10 (approximately 80 acres).

(2) Tract 2.—NE\textsuperscript{1/4}NW\textsuperscript{1/4} of section 15 (approximately 40 acres).

(3) Tract 3.—S\textsuperscript{1/2}SW\textsuperscript{1/4}SW\textsuperscript{1/4}SE\textsuperscript{1/4} of section 15 (approximately 5 acres).

(4) Tract 4.—N\textsuperscript{1/2}S\textsuperscript{1/2}S\textsuperscript{1/2}SE\textsuperscript{1/4} of section 15 (approximately 20 acres).

(5) Tract 5.—S\textsuperscript{1/2}N\textsuperscript{1/2}SW\textsuperscript{1/4}SE\textsuperscript{1/4} of section 15 (approximately 10 acres).
(6) **TRACT 6.**—N½NW¼SW¼SE¼ of section 15 (approximately 5 acres).

(7) **TRACT 7.**—NW¼NE¼SW¼SE¼ of section 15 (approximately 2.5 acres).

(8) **TRACT 8.**—S½NW¼SE¼SE¼ of section 15 (approximately 5 acres).

(9) **TRACT 9.**—SW¼NE¼SE¼SE¼ of section 15 (approximately 2.5 acres).

(10) **TRACT 10.**—W½W½NW¼SE¼ of section 15 (approximately 10 acres).

(11) **TRACT 11.**—SE¼SW¼NW¼SE¼ of section 15 (approximately 2.5 acres).

(12) **TRACT 12.**—SW¼SE¼NW¼SE¼ of section 15 (approximately 2.5 acres).

(13) **TRACT 13.**—W½W½SW¼NE¼ of section 15 (approximately 10 acres).

(14) **TRACT 14.**—SW¼SW¼NE¼ of section 22 (approximately 10 acres).

(15) **TRACT 15.**—NW¼NW¼NW¼NE¼ of section 22 (approximately 2.5 acres).

(16) **TRACT 16.**—SW¼NW¼SW¼NE¼ of section 22 (approximately 2.5 acres).

(17) **TRACT 17.**—W½NW¼SE¼ of section 22 (approximately 20 acres).
(18) **TRACT 18.**—SW¼SE¼ of section 22 (approximately 40 acres).

(19) **TRACT 19.**—E½SW¼ of section 22 (approximately 80 acres).

(20) **TRACT 20.**—N½NW¼SW¼ of section 22 (approximately 20 acres).

(21) **TRACT 21.**—W½NE¼ of section 27 (approximately 60 acres).

(22) **TRACT 22.**—NE¼SW¼NW¼ of section 27 (approximately 10 acres).

(d) **IMPLEMENTATION OF LAND EXCHANGE.**—

(1) **MAPS; PUBLIC AVAILABILITY.**—The lands to be exchanged under this section are depicted as the “Los Padres National Forest Land Exchange” on the overview map. The map shall be on file and available for public inspection in appropriate offices of the Forest Service until completion of the land exchange. The Secretary may also correct errors in the map or the accompanying legal descriptions.

(2) **MODIFICATION OF STATUTORY TERMS OF EXCHANGE.**—By mutual agreement to facilitate the land exchange under this section, the Secretary and the District may make de minimis changes to tracts of land involved in the land exchange or adjust the legal descriptions specified in subsections (b) and (c).
and the boundaries depicted on the overview map based upon the environmental analysis conducted and public input obtained in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.).

(3) PRIORITY FOR COMPLETION.—The Secretary shall make the land exchange under this section a priority by endeavoring to complete the land exchange within two years after the date of the enactment of this Act.

(4) ADMINISTRATIVE COSTS.—The District shall pay the costs of conducting the land exchange under this section, including the costs incurred for environmental analysis, survey, mapping, appraisals, closing costs, recording fees, and similar expenditures, but not including the costs of staff salaries, administrative overhead, attorney fees, the cost of construction required by subsection (e)(2), or the costs to cure any title defects.

(5) TITLE STANDARDS.—The Secretary shall require that title to the District lands to be acquired by the Secretary under this section is in conformity with the title standards of the Attorney General.

(c) EASEMENTS AND ACCESS.—
(1) Reservation.—In the conveyance of the National Forest System lands under this section, the Secretary shall reserve easements for all roads and trails that the Secretary considers to be necessary or desirable to provide for administrative purposes and to ensure public access to National Forest System lands and shall reserve perpetual unrestricted rights of pedestrian and equestrian access over all existing roads and trails.

(2) Construction of parking lot.—As a condition on the receipt of National Forest System lands under this section, the District shall agree to construct a gravel parking area upon District lands to provide access to the Potholes trail of the Los Padres National Forest. The site design for the parking area shall be subject to the approval by the Secretary. The District may reasonably regulate vehicular access to the parking area in accordance with rules and regulations promulgated in accordance with applicable law.

(f) Partial Revocation of Withdrawals.—The public lands withdrawals provided by the Act of May 29, 1928 (Chapter 868; 45 Stat. 956), Power Site Classification No. 414–USGS, June 22, 1951, FERC Power Project No. 2153, January 15, 1957, and Forest Service
Land Order No. 3338, February 28, 1964, are hereby re-
voked insofar as they effect the National Forest System 
lands conveyed under this section.

(g) WATER RIGHTS.—The land exchange under this 
section does not include any water rights owned by the 
District or the United States.

(h) EQUAL VALUE EXCHANGE.—

(1) APPRAISAL.—Subject to paragraph (2), the 
land exchange under this section shall be conducted 
on an equal value basis, as determined by the ap-
praisal done in conformity with the Uniform Ap-
praisal Standards for Federal Lands Standards for 
Acquisition and Forest Service appraisal instruc-
tions.

(2) CASH EQUALIZATION.—If the value of the 
lands to be conveyed by the District under sub-
section (a) is less than the value of the lands to be 
conveyed by the Secretary, the values of the lands 
may be equalized through the payment by the Dis-
trust of a cash equalization payment. The amount of 
the cash equalization payment paid by the District 
may exceed the statutory limit specified in section 
206 of the Federal Land Policy and Management 
Act of 1976 (43 U.S.C. 1716). The Secretary may 
not make a cash equalization payment.
(3) DEPOSIT OF PROCEEDS.—Any cash equalization payment or other proceeds received by the Secretary as a result of the land exchange under this section shall be deposited in the general fund of the Treasury.

(i) MANAGEMENT OF ACQUIRED LANDS.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the Los Padres National Forest, as adjusted as a result of the land exchange under this section, shall be considered to be the boundaries of that national forest as of January 1, 1965. The District lands acquired by the Secretary under this section shall be added to and administered as part of the Los Padres National Forest in accordance with the laws and regulations applicable to that national forest.

(j) EFFECT OF EXCHANGE.—The District shall comply with all applicable requirements of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) relating to the land conveyed to it under this section.