

115TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “California Desert Protection and Recreation Act of
6 2017”.

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

Sec. 1. Short title; table of contents.

TITLE I—CALIFORNIA DESERT CONSERVATION AND RECREATION

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

TITLE II—DEVELOPMENT OF RENEWABLE ENERGY ON PUBLIC LAND

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

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

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

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

9 **“TITLE XIII—WILDERNESS**

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

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

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

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

16 “(3) GREAT FALLS BASIN WILDERNESS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 **“SEC. 1302. MANAGEMENT.**

15 “(a) **ADJACENT MANAGEMENT.—**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 “(b) MAPS; LEGAL DESCRIPTIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **“SEC. 1401. DEFINITIONS.**

4 “In this title:

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

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

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

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

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

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

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

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

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

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

9 “(d) MAP; LEGAL DESCRIPTION.—

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

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

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

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

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

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

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

5 **“SEC. 1403. MANAGEMENT.**

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

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

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

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

16 “(b) OFF-HIGHWAY VEHICLE USE.—

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

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

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

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

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

6 “(D) as otherwise required by law.

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

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

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

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

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

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

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

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

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

3 “(A) minerals; or

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

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

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

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

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

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

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

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

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

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

5 “(1) route signage;

6 “(2) restoration of closed routes;

7 “(3) protection of Management Area resources;

8 and

9 “(4) recreation education.

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

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

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

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

24 “(a) PROTECTION OF WILDERNESS CHARACTER.—

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

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

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

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

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

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

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

4 “(3) USE OF LAND.—

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

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

19 “(i) Permanent roads.

20 “(ii) Commercial enterprises.

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

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

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

5 “(4) WILDERNESS DESIGNATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 “(c) ADMINISTRATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 “(a) IN GENERAL.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(c) MAPS AND DESCRIPTIONS.—

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

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

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

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

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

24 “(d) USE OF THE LAND.—

25 “(1) RECREATIONAL ACTIVITIES.—

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

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

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

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

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

5 “(B) State law.

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

15 “(e) ADMINISTRATION.—

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

20 “(A) this title;

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

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

1 “(2) MANAGEMENT PLAN.—

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

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

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

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

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

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

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

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

3 “(f) STUDY.—

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

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

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

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

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

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

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

11 “(i) the State, including—

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

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

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

18 “(iii) the public;

19 “(iv) recreational user groups;

20 “(v) conservation organizations;

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

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

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

3 “(B) explore the feasibility of—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(6) AUTHORIZATION FOR EXPANSION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 **“SEC. 1701. DEFINITIONS.**

16 “In this title:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 “(iii) used for the purpose of—

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

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

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

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

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

17 “(c) MAP; LEGAL DESCRIPTIONS.—

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

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

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

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

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

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

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

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

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

23 “(4) in accordance with—

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

1 “(B) this title; and

2 “(C) any other applicable laws.

3 “(e) MANAGEMENT.—

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

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

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

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

1 ment plan sustaining a semiprimitive motorized
2 experience; or

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

5 “(f) NO BUFFER ZONES.—

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

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

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

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

22 “(1) subject to—

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

1 “(B) applicable law; and

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

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

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

12 “(1) subject to—

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

16 “(B) applicable law; and

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

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

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

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

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

4 “(3) flight testing and evaluation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **“SEC. 1703. MANAGEMENT PLAN.**

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

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

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

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

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

18 “(4) members of the public.

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

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

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

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

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

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

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

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

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

3 “(a) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

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

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

22 “(e) CONDITIONS.—

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

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

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

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

14 **“TITLE XVIII—MISCELLANEOUS**

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

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

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

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

3 “(c) MANAGEMENT.—

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

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

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

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

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

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

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

2 “Nothing in this title—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 “(b) STUDY.—

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

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

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

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

23 “(i) plants, insects, and animals;

24 “(ii) soil;

25 “(iii) air quality;

1 “(iv) water quality and quantity; and

2 “(v) species migration and survival;

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

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

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

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

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

20 “(C) any other applicable law.

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

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

3 “(a) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

13 “(1) disposal;

14 “(2) rights-of-way;

15 “(3) leases;

16 “(4) livestock grazing;

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

19 “(6) mineral entry; and

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

21 “(A) designated routes;

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

24 “(C) administratively designated open
25 areas.

1 “(c) EXCEPTIONS.—

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

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

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

17 “(2) CONDITIONS.—

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

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

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

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

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

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

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

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

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

4 “(B) to satisfy the conditions of—

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

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

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

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

18 “(b) TEMPORARY CLOSURE.—

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

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

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

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

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

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

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

3 “(A) each of—

4 “(i) the Chemehuevi Indian Tribe;

5 “(ii) the Hualapai Tribal Nation;

6 “(iii) the Fort Mojave Indian Tribe;

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

9 “(v) the Quechan Indian Tribe; and

10 “(vi) the Cocopah Indian Tribe; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(a) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

7 (b) CONFORMING AMENDMENTS.—

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

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

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

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

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

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

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

5 **“SEC. 408. VISITOR CENTER.**

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

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

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

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

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

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

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

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

4 (1) in subsection (a)—

5 (A) in the first sentence—

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

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

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

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

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

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

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

3 “(5) SPECIAL DEPOSIT FUND ACCOUNT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 “(214) DEEP CREEK, CALIFORNIA.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 **“SEC. 3. DEFINITIONS.**

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

13 “(1) sections 1 and 2; and

14 “(2) titles I through IX.

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

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

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

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

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

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

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

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

11 “(d) NO BUFFER ZONES.—

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

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

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

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

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

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

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

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

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

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

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

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

10 **“SEC. 711. JUNIPER FLATS.**

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

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

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

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

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

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

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

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

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

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

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

4 **SEC. 201. DEFINITIONS.**

5 In this title:

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

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

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

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

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

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

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

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

5 (3) 15 percent shall—

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

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

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

19 (b) PAYMENTS TO STATES AND COUNTIES.—

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

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

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

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

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

16 (2) USE.—

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

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

1 (I) wildlife habitat for affected
2 species;

3 (II) wildlife corridors for affected
4 species; and

5 (III) water resources in areas im-
6 pacted by wind or solar energy devel-
7 opment;

8 (ii) conducting research with regional
9 institutions of higher education necessary
10 to implement restoration and protection
11 activities described in clause (i);

12 (iii) securing recreational access to
13 Federal land through an easement, right-
14 of-way, or fee title acquisition from willing
15 sellers for the purpose of providing en-
16 hanced public access to existing Federal
17 land that is inaccessible or significantly re-
18 stricted if the enhanced public access does
19 not impact the natural and cultural re-
20 source values of the Federal land;

21 (iv) carrying out activities authorized
22 under chapter 2003 of title 54, United
23 States Code, in the State; and

24 (v) establishing, operating, and main-
25 taining a trans-State desert tortoise con-

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

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

8 (C) ADVISORY BOARD.—

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

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

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

24 (4) INVESTMENT OF FUND.—

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

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