

112TH CONGRESS
1ST SESSION

S. 138

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

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

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

A BILL

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

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

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “California Desert Protection Act of 2011”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Amendments to the California Desert Protection Act of 1994.

“TITLE XIII—MOJAVE TRAILS NATIONAL MONUMENT

- “Sec. 1301. Definitions.
- “Sec. 1302. Establishment of the Mojave Trails National Monument.
- “Sec. 1303. Management of the Monument.
- “Sec. 1304. Uses of the monument.
- “Sec. 1305. Acquisition of land.
- “Sec. 1306. Advisory Committee.
- “Sec. 1307. Renewable energy right-of-way applications.

“TITLE XIV—SAND TO SNOW NATIONAL MONUMENT

- “Sec. 1401. Definitions.
- “Sec. 1402. Establishment of the Sand to Snow National Monument.
- “Sec. 1403. Management of the Monument.
- “Sec. 1404. Uses of the Monument.
- “Sec. 1405. Acquisition of land.
- “Sec. 1406. Advisory Committee.

“TITLE XV—WILDERNESS

- “Sec. 1501. Designation of wilderness areas.
- “Sec. 1502. Management.
- “Sec. 1503. Release of wilderness study areas.

“TITLE XVI—DESIGNATION OF SPECIAL MANAGEMENT AREA

- “Sec. 1601. Definitions.
- “Sec. 1602. Establishment of the Vinagre Wash Special Management Area.
- “Sec. 1603. Management.
- “Sec. 1604. Potential wilderness.

“TITLE XVII—NATIONAL PARK SYSTEM ADDITIONS

- “Sec. 1701. Death Valley National Park boundary revision.
- “Sec. 1702. Mojave National Preserve.
- “Sec. 1703. Joshua Tree National Park boundary revision.
- “Sec. 1704. Authorization of appropriations.

“TITLE XVIII—OFF-HIGHWAY VEHICLE RECREATION AREAS

- “Sec. 1801. Designation of off-highway vehicle recreation areas.

“TITLE XIX—MISCELLANEOUS

- “Sec. 1901. State land transfers and exchanges.
 - “Sec. 1902. Military activities.
 - “Sec. 1903. Climate change and wildlife corridors.
 - “Sec. 1904. Prohibited uses of donated and acquired land.
 - “Sec. 1905. Tribal uses and interests.
- Sec. 3. Designation of wild and scenic rivers.

1 **SEC. 2. AMENDMENTS TO THE CALIFORNIA DESERT PRO-**
 2 **TECTION ACT OF 1994.**

3 (a) IN GENERAL.—Public Law 103–433 (16 U.S.C.
 4 410aaa et seq.) is amended by adding at the end the fol-
 5 lowing:

6 **“TITLE XIII—MOJAVE TRAILS**
 7 **NATIONAL MONUMENT**

8 **“SEC. 1301. DEFINITIONS.**

9 “In this title:

10 “(1) MAP.—The term ‘map’ means the map en-
 11 titled ‘Boundary Map, Mojave Trails National
 12 Monument’ and dated November 19, 2009.

13 “(2) MONUMENT.—The term ‘Monument’
 14 means the Mojave Trails National Monument estab-
 15 lished by section 1302(a).

16 “(3) STUDY AREA.—The term ‘study area’
 17 means the land that—

18 “(A) is described in—

19 “(i) the notice of the Bureau of Land
 20 Management of September 15, 2008 enti-
 21 tled ‘Notice of Proposed Legislative With-
 22 drawal and Opportunity for Public Meet-
 23 ing; California’ (73 Fed. Reg. 53269); or

24 “(ii) any subsequent notice in the
 25 Federal Register that is related to the no-
 26 tice described in clause (i); and

1 “(B) has been segregated by the Director
2 of the Bureau of Land Management.

3 **“SEC. 1302. ESTABLISHMENT OF THE MOJAVE TRAILS NA-**
4 **TIONAL MONUMENT.**

5 “(a) ESTABLISHMENT.—There is designated in the
6 State the Mojave Trails National Monument.

7 “(b) PURPOSES.—The purposes of the Monument
8 are—

9 “(1) to preserve the nationally significant bio-
10 logical, cultural, recreational, geological, educational,
11 historic, scenic, and scientific values—

12 “(A) in the Central and Eastern Mojave
13 Desert; and

14 “(B) along historic Route 66; and

15 “(2) to secure the opportunity for present and
16 future generations to experience and enjoy the mag-
17 nificent vistas, wildlife, land forms, and natural and
18 cultural resources of the Monument.

19 “(c) BOUNDARIES.—

20 “(1) IN GENERAL.—Except as provided in para-
21 graph (2), the Monument shall consist of the Fed-
22 eral land and Federal interests in land within the
23 boundaries depicted on the map.

24 “(2) EXCLUSIONS.—

1 “(A) STUDY AREA.—Subject to subpara-
2 graph (B), the study area shall be excluded
3 from the Monument to permit the Secretary of
4 the Navy to study the land within the study
5 area for—

6 “(i) withdrawal in accordance with the
7 Act of February 28, 1958 (43 U.S.C. 155
8 et seq.); and

9 “(ii) potential inclusion into the Ma-
10 rine Corps Air Ground Combat Center at
11 Twentynine Palms, California, for national
12 defense purposes.

13 “(B) INCORPORATION IN MONUMENT.—
14 After action by the Secretary of Defense and
15 Congress regarding the withdrawal under sub-
16 paragraph (A), any land within the study area
17 that is not withdrawn shall be incorporated into
18 the Monument.

19 “(d) MAP; LEGAL DESCRIPTIONS.—

20 “(1) LEGAL DESCRIPTION.—As soon as prac-
21 ticable after the date of enactment of this title, the
22 Secretary shall submit to the Committee on Natural
23 Resources of the House of Representatives and the
24 Committee on Energy and Natural Resources of the

1 Senate legal descriptions of the Monument, based on
2 the map.

3 “(2) CORRECTIONS.—The map and legal de-
4 scriptions of the Monument shall have the same
5 force and effect as if included in this title, except
6 that the Secretary may correct clerical and typo-
7 graphical errors in the map and legal descriptions.

8 “(3) AVAILABILITY OF MAP.—The map shall be
9 on file and available for public inspection in the ap-
10 propriate offices of the Bureau of Land Manage-
11 ment.

12 **“SEC. 1303. MANAGEMENT OF THE MONUMENT.**

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

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

15 “(A) further the purposes described in sec-
16 tion 1302(b);

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

19 “(C) do not interfere with the utility
20 rights-of-way or corridors authorized under sec-
21 tion 1304(f); and

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

25 “(A) this Act;

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

4 “(C) any other applicable provisions of law.

5 “(b) COOPERATION AGREEMENTS; GENERAL AU-
6 THORITY.—Consistent with the management plan and ex-
7 isting authorities applicable to the Monument, the Sec-
8 retary may enter into cooperative agreements and shared
9 management arrangements (including special use permits
10 with any person (including educational institutions and In-
11 dian tribes)), for the purposes of interpreting, researching,
12 and providing education on the resources of the Monu-
13 ment.

14 “(c) ADMINISTRATION OF SUBSEQUENTLY AC-
15 QUIRED LAND.—Any land or interest in land within the
16 boundaries of the Monument that is acquired by the Sec-
17 retary after the date of enactment of this title shall be
18 managed by the Secretary in accordance with this title.

19 “(d) LIMITATIONS.—

20 “(1) PROPERTY RIGHTS.—The establishment of
21 the Monument does not—

22 “(A) affect—

23 “(i) any property rights of an Indian
24 reservation, individually held trust land, or
25 any other Indian allotments;

1 “(ii) any land or interests in land held
2 by the State, any political subdivision of
3 the State, or any special district; or

4 “(iii) any private property rights with-
5 in the boundaries of the Monument; or

6 “(B) grant to the Secretary any authority
7 on or over non-Federal land not already pro-
8 vided by law.

9 “(2) AUTHORITY.—The authority of the Sec-
10 retary under this title extends only to Federal land
11 and Federal interests in land included in the Monu-
12 ment.

13 “(e) ADJACENT MANAGEMENT.—

14 “(1) IN GENERAL.—Nothing in this title creates
15 any protective perimeter or buffer zone around the
16 Monument.

17 “(2) ACTIVITIES OUTSIDE MONUMENT.—The
18 fact that an activity or use on land outside the
19 Monument can be seen or heard within the Monu-
20 ment shall not preclude the activity or use outside
21 the boundary of the Monument.

22 “(3) NO ADDITIONAL REGULATION.—Nothing
23 in this title requires additional regulation of activi-
24 ties on land outside the boundary of the Monument.

1 “(f) AIR AND WATER QUALITY.—Nothing in this title
2 affects the standards governing air or water quality out-
3 side the boundary of the Monument.

4 “(g) MANAGEMENT PLAN.—

5 “(1) IN GENERAL.—The Secretary shall—

6 “(A) not later than 3 years after the date
7 of enactment of this title, complete a manage-
8 ment plan for the conservation and protection
9 of the Monument; and

10 “(B) on completion of the management
11 plan—

12 “(i) submit the management plan
13 to—

14 “(I) the Committee on Natural
15 Resources of the House of Represent-
16 atives; and

17 “(II) the Committee on Energy
18 and Natural Resources of the Senate;
19 and

20 “(ii) make the management plan
21 available to the public.

22 “(2) INCLUSIONS.—The management plan shall
23 include provisions that—

24 “(A) provide for the conservation and pro-
25 tection of the Monument;

1 “(B) authorize the continued recreational
2 uses of the Monument (including hiking, camp-
3 ing, hunting, mountain biking, sightseeing, off-
4 highway vehicle recreation on designated routes,
5 rockhounding, and horseback riding), if the rec-
6 reational uses are consistent with this section
7 and any other applicable law;

8 “(C) address the need for and, as nec-
9 essary, establish plans for, the installation, con-
10 struction, and maintenance of public utility en-
11 ergy transport facilities within rights-of-way in
12 the Monument, including provisions that re-
13 quire that the activities be conducted in a man-
14 ner that minimizes the impact on Monument re-
15 sources (including resources relating to the eco-
16 logical, cultural, historic, and scenic viewshed of
17 the Monument), in accordance with any other
18 applicable law;

19 “(D) address the designation and mainte-
20 nance of roads, trails, and paths in the Monu-
21 ment;

22 “(E) address regional fire management
23 planning and coordination between the Director
24 of the Bureau of Land Management, the Direc-

1 tor of the National Park Service, and San
2 Bernardino County; and

3 “(F) address the establishment of a visitor
4 center to serve the Monument and adjacent
5 public land.

6 “(3) PREPARATION AND IMPLEMENTATION.—

7 “(A) APPLICABLE LAW.—The Secretary
8 shall prepare and implement the management
9 plan in accordance with the National Environ-
10 mental Policy Act of 1969 (42 U.S.C. 4321 et
11 seq.) and any other applicable laws.

12 “(B) CONSULTATION.—In preparing and
13 implementing the management plan, the Sec-
14 retary shall periodically consult with—

15 “(i) the advisory committee estab-
16 lished under section 1306;

17 “(ii) interested private property own-
18 ers and holders of valid existing rights lo-
19 cated within the boundaries of the Monu-
20 ment; and

21 “(iii) representatives of the Fort Mo-
22 jave Indian tribe, the Colorado River In-
23 dian Tribe, the Chemehuevi Indian tribe,
24 and other Indian tribes with historic or
25 cultural ties to land within, or adjacent to,

1 the Monument regarding the management
2 of portions of the Monument containing
3 sacred sites or cultural importance to the
4 Indian tribes.

5 “(4) INTERIM MANAGEMENT.—Except as other-
6 wise provided in this Act, pending completion of the
7 management plan for the Monument, the Secretary
8 shall manage any Federal land and Federal interests
9 in land within the boundary of the Monument—

10 “(A) consistent with the existing permitted
11 uses of the land;

12 “(B) in accordance with the general guide-
13 lines and authorities of the existing manage-
14 ment plans of the Bureau of Land Management
15 for the land; and

16 “(C) in a manner consistent with—

17 “(i) the purposes described in section
18 1302(b);

19 “(ii) the provisions of the manage-
20 ment plan under paragraph (2); and

21 “(iii) applicable Federal law.

22 “(h) EFFECT OF SECTION.—Nothing in this section
23 diminishes or alters existing authorities applicable to Fed-
24 eral land included in the Monument.

1 **“SEC. 1304. USES OF THE MONUMENT.**

2 “(a) USE OF OFF-HIGHWAY VEHICLES.—

3 “(1) IN GENERAL.—The use of off-highway ve-
4 hicles in the Monument (including the use of off-
5 highway vehicles for commercial touring) shall be
6 permitted to continue on designated routes, subject
7 to all applicable law and and authorized by the man-
8 agement plan.

9 “(2) NONDESIGNATED ROUTES.—Off-highway
10 vehicle access shall be permitted on nondesignated
11 routes and trails in the Monument—

12 “(A) for administrative purposes;

13 “(B) to respond to an emergency; or

14 “(C) as authorized under the management
15 plan.

16 “(3) INVENTORY.—Not later than 2 years after
17 the date of enactment of this title, the Director of
18 the Bureau of Land Management shall complete an
19 inventory of all existing routes in the Monument.

20 “(b) HUNTING, TRAPPING, AND FISHING.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), the Secretary shall permit hunting, trap-
23 ping, and fishing within the Monument in accord-
24 ance with applicable Federal and State laws (includ-
25 ing regulations) in effect as of the date of enactment
26 of this title.

1 “(2) TRAPPING.—No amphibians or reptiles
2 may be collected within the Monument.

3 “(3) REGULATIONS.—The Secretary, after con-
4 sultation with the California Department of Fish
5 and Game, may issue regulations designating zones
6 where, and establishing periods during which, no
7 hunting, trapping, or fishing shall be permitted in
8 the Monument for reasons of public safety, adminis-
9 tration, resource protection, or public use and enjoy-
10 ment.

11 “(c) GRAZING.—

12 “(1) IN GENERAL.—Nothing in this title termi-
13 nates any valid existing grazing allotment within the
14 Monument.

15 “(2) EFFECT ON BLAIR PERMIT.—Nothing in
16 this title affects the Lazy Daisy grazing permit (per-
17 mittee number 9076) on land included in the Monu-
18 ment, including the transfer of title to the grazing
19 permit to the Secretary or to a private party.

20 “(3) PERMIT RETIREMENT.—The Secretary
21 may acquire base property and associated grazing
22 permits within the Monument for purposes of per-
23 manently retiring the permit if—

24 “(A) the permittee is a willing seller;

1 “(B) the permittee and Secretary reach an
2 agreement concerning the terms and conditions
3 of the acquisition; and

4 “(C) termination of the allotment would
5 further the purposes of the Monument de-
6 scribed in section 1302(b).

7 “(d) ACCESS TO STATE AND PRIVATE LAND.—The
8 Secretary shall provide adequate access to each owner of
9 non-Federal land or interests in non-Federal land within
10 the boundary of the Monument to ensure the reasonable
11 use and enjoyment of the land or interest by the owner.

12 “(e) LIMITATIONS.—

13 “(1) COMMERCIAL ENTERPRISES.—Except as
14 provided in paragraphs (2) and (3), or as required
15 for the maintenance, upgrade, expansion, or develop-
16 ment of energy transport facilities in the corridors
17 described in subsection (g), no commercial enter-
18 prises shall be authorized within the boundary of the
19 Monument after the date of enactment of this title.

20 “(2) AUTHORIZED EXCEPTIONS.—The Sec-
21 retary may authorize exceptions to paragraph (1) if
22 the Secretary determines that the commercial enter-
23 prises would further the purposes described in sec-
24 tion 1302(b).

1 “(3) APPLICABILITY.—This subsection does not
2 apply to—

3 “(A) transmission and telecommunication
4 facilities that are owned or operated by a utility
5 subject to regulation by the Federal Govern-
6 ment or a State government or a State utility
7 with a service obligation (as those terms are de-
8 fined in section 217 of the Federal Power Act
9 (16 U.S.C. 824q)); or

10 “(B) commercial vehicular touring enter-
11 prises within the Monument that operate on
12 designated routes.

13 “(f) UTILITY RIGHTS-OF-WAY.—

14 “(1) IN GENERAL.—Nothing in this title pre-
15 cludes, prevents, or inhibits the maintenance, up-
16 grade, expansion, or development of energy trans-
17 port facilities within the Monument that are critical
18 to reducing the effects of climate change on the envi-
19 ronment.

20 “(2) AUTHORIZATION.—The Secretary shall, to
21 the maximum extent practicable—

22 “(A) permit rights-of-way and alignments
23 that best protect the values and resources of
24 the Monument described in section 1302(b);
25 and

1 “(B) ensure that existing rights-of-way
2 and utility corridors within the Monument are
3 fully utilized before permitting new rights-of-
4 way or designating new utility corridors within
5 the Monument.

6 “(3) EFFECT ON EXISTING FACILITIES AND
7 RIGHTS-OF-WAY.—Nothing in this section terminates
8 or limits—

9 “(A) any valid right-of-way within the
10 Monument in existence on the date of enact-
11 ment of this title (including customary oper-
12 ation, maintenance, repair, or replacement ac-
13 tivities in a right-of-way); or

14 “(B) a right-of-way authorization issued on
15 the expiration of an existing right-of-way au-
16 thorization described in subparagraph (A).

17 “(4) UPGRADING AND EXPANSION OF EXISTING
18 RIGHTS-OF-WAY.—Nothing in this subsection pro-
19 hibits the upgrading (including the construction or
20 replacement), expansion, or assignment of an exist-
21 ing utility transmission line for the purpose of in-
22 creasing the capacity of—

23 “(A) a transmission line in existing rights-
24 of-way; or

1 “(B) a right-of-way issued, granted, or
2 permitted by the Secretary that is contiguous or
3 adjacent to existing transmission line rights-of-
4 way.

5 “(5) INTERSTATE 40 TRANSPORTATION COR-
6 RIDOR.—For purposes of underground utility rights-
7 of-way under this subsection, the Secretary shall
8 consider the Interstate 40 transportation corridor to
9 be equivalent to an existing utility right-of-way cor-
10 ridor.

11 “(6) NEW RIGHTS-OF-WAY.—

12 “(A) IN GENERAL.—Any new rights-of-way
13 or new uses within existing rights-of-way
14 shall—

15 “(i) only be permitted in energy cor-
16 ridors or expansions of energy corridors
17 that are designated as of the date of enact-
18 ment of this title; and

19 “(ii) subject to subparagraph (B), re-
20 quire review and approval under the Na-
21 tional Environmental Policy Act of 1969
22 (42 U.S.C. 4321 et seq.).

23 “(B) APPROVAL.—New rights-of-way or
24 uses or expansions of existing corridors under
25 subparagraph (A) shall only be approved if the

1 head of the applicable lead Federal agency, in
2 consultation with other agencies as appropriate,
3 determines that the new rights-of-way, uses, or
4 expansions are consistent with—

5 “(i) this title;

6 “(ii) other applicable laws;

7 “(iii) the purposes of the Monument
8 described in section 1302(b); and

9 “(iv) the management plan for the
10 Monument.

11 “(g) WEST WIDE ENERGY CORRIDOR.—

12 “(1) ALTERNATIVE ALIGNMENT.—Subject to
13 paragraph (2), to further the purposes of the Monu-
14 ment described in section 1302(b), the Secretary
15 may require a realignment of the energy right-of-
16 way corridor numbered 27–41 and designated under
17 the energy corridor planning process established by
18 section 368 of the Energy Policy Act of 2005 (42
19 U.S.C. 15926) if an alternative alignment within the
20 Monument—

21 “(A) provides substantially similar energy
22 transmission capacity and reliability;

23 “(B) does not impair other existing rights-
24 of-way; and

1 “(C) is compatible with military training
2 requirements.

3 “(2) CONSULTATION.—Before establishing an
4 alternative alignment of the energy right-of-way cor-
5 ridor under paragraph (1), the Secretary shall con-
6 sult with—

7 “(A) the Secretary of Energy;

8 “(B) the Secretary of Defense;

9 “(C) the State, including the transmission
10 permitting agency of the State;

11 “(D) units of local government in the
12 State; and

13 “(E) any entities possessing valid existing
14 rights-of-way within—

15 “(i) the energy corridor described in
16 paragraph (1); or

17 “(ii) any potential alternative energy
18 corridor.

19 “(3) EFFECT ON ENERGY TRANSPORT COR-
20 RIDORS.—Nothing in this subsection diminishes the
21 utility of energy transport corridors located within
22 the Monument and identified under section 368 of
23 the Energy Policy Act of 2005 (42 U.S.C. 15926),
24 Energy Corridors E or I (as designated in the Cali-
25 fornia Desert Conservation Area Plan), or energy

1 corridors numbered 27–41 and 27–225 and des-
2 ignated by a record of decision—

3 “(A) to provide locations for—

4 “(i) electric transmission facilities
5 that improve reliability, relieve congestion,
6 and enhance the national grid; and

7 “(ii) oil, gas, and hydrogen pipelines;
8 and

9 “(B) to provide locations for electric trans-
10 mission facilities that—

11 “(i) promote renewable energy genera-
12 tion;

13 “(ii) otherwise further the interest of
14 the United States if the transmission fa-
15 cilities are identified as critical—

16 “(I) in a Federal law; or

17 “(II) through a regional trans-
18 mission planning process; or

19 “(iii) consist of high-voltage trans-
20 mission facilities critical to the purposes
21 described in clause (i) or (ii).

22 “(4) LAND USE PLANNING.—In conducting
23 land use planning for the Monument, the Sec-
24 retary—

1 “(A) shall consider the existing locations of
2 the corridors described in paragraph (3); and

3 “(B) subject to paragraph (5), may amend
4 the location of any energy corridors to comply
5 with purposes of the Monument if the amended
6 corridor—

7 “(i) provides connectivity across the
8 landscape that is equivalent to the
9 connectivity provided by the existing loca-
10 tion;

11 “(ii) meets the criteria established
12 by—

13 “(I) section 368 of the Energy
14 Policy Act of 2005 (42 U.S.C.
15 15926); and

16 “(II) the record of decision for
17 the applicable corridor; and

18 “(iii) does not impair or restrict the
19 uses of existing rights-of-way.

20 “(5) CONSULTATION REQUIRED.—Before
21 amending a corridor under paragraph (4)(B), the
22 Secretary shall consult with all interested parties
23 (including the persons identified in section 368(a) of
24 the Energy Policy Act of 2005 (42 U.S.C.

1 15926(a))), in accordance with applicable laws (in-
2 cluding regulations).

3 “(h) OVERFLIGHTS.—Nothing in this title or the
4 management plan restricts or precludes—

5 “(1) overflights (including low-level overflights)
6 of military, commercial, and general aviation aircraft
7 that can be seen or heard within the Monument;

8 “(2) the designation or creation of new units of
9 special use airspace; or

10 “(3) the establishment of military flight train-
11 ing routes over the Monument.

12 “(i) WITHDRAWALS.—

13 “(1) IN GENERAL.—Subject to valid existing
14 rights and except as provided in paragraph (2), the
15 Federal land and interests in Federal land included
16 within the Monument are withdrawn from—

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

19 “(B) location, entry, and patent under the
20 public land mining laws;

21 “(C) operation of the mineral leasing, geo-
22 thermal leasing, and mineral materials laws;
23 and

24 “(D) energy development and power gen-
25 eration.

1 “(2) EXCHANGE.—Paragraph (1) does not
2 apply to an exchange that the Secretary determines
3 would further the protective purposes of the Monu-
4 ment.

5 “(j) ACCESS TO RENEWABLE ENERGY FACILITIES.—

6 “(1) IN GENERAL.—On a determination that no
7 reasonable alternative access exists and subject to
8 paragraph (2), the Secretary may allow new right-
9 of-ways within the Monument to provide vehicular
10 access to renewable energy project sites outside the
11 boundaries of the Monument.

12 “(2) RESTRICTIONS.—To the maximum extent
13 practicable, the rights-of-way shall be designed and
14 sited to be consistent with the purposes of the
15 Monument described in section 1302(b).

16 **“SEC. 1305. ACQUISITION OF LAND.**

17 “(a) IN GENERAL.—The Secretary may acquire for
18 inclusion in the Monument any land or interests in land
19 within the boundary of the Monument owned by the State,
20 units of local government, Indian tribes, or private individ-
21 uals only by—

22 “(1) donation;

23 “(2) exchange with a willing party; or

24 “(3) purchase from a willing seller for fair mar-
25 ket value.

1 “(b) USE OF EASEMENTS.—To the maximum extent
2 practicable and only with the approval of the landowner,
3 the Secretary may use permanent conservation easements
4 to acquire an interest in land in the Monument rather
5 than acquiring fee simple title to the land.

6 “(c) INCORPORATION OF ACQUIRED LAND AND IN-
7 TERESTS IN LAND.—Any land or interest in land within
8 the boundaries of the Monument that is acquired by the
9 United States after the date of enactment of this title shall
10 be added to and administered as part of the Monument.

11 “(d) DONATED AND ACQUIRED LAND.—

12 “(1) IN GENERAL.—All land within the bound-
13 ary of the Monument donated to the United States
14 or acquired using amounts from the land and water
15 conservation fund established under section 2 of the
16 Land and Water Conservation Fund Act of 1965
17 (16 U.S.C. 4601–5) before, on, or after the date of
18 enactment of this title—

19 “(A) is withdrawn from mineral entry;

20 “(B) shall be managed in accordance with
21 section 1904; and

22 “(C) shall be managed consistent with the
23 purposes of the Monument described in section
24 1302(b).

1 “(2) EFFECT ON MONUMENT.—Land within the
2 boundary of the Monument that is contiguous to
3 land donated to the United States or acquired using
4 amounts from the land and water conservation fund
5 established under section 2 of the Land and Water
6 Conservation Fund Act of 1965 (16 U.S.C. 4601–5)
7 shall be managed in a manner consistent with con-
8 servation purposes, subject to applicable law.

9 **“SEC. 1306. ADVISORY COMMITTEE.**

10 “(a) IN GENERAL.—The Secretary shall establish an
11 advisory committee for the Monument, the purpose of
12 which is to advise the Secretary with respect to the prepa-
13 ration and implementation of the management plan re-
14 quired by section 1303(g).

15 “(b) MEMBERSHIP.—To the extent practicable, the
16 advisory committee shall include the following members,
17 to be appointed by the Secretary:

18 “(1) A representative with expertise in natural
19 science and research selected from a regional univer-
20 sity or research institute.

21 “(2) A representative of the California Natural
22 Resources Agency.

23 “(3) A representative of the California Public
24 Utilities Commission.

1 “(4) A representative of the County of San
2 Bernardino, California.

3 “(5) A representative of each of the cities of
4 Barstow, Needles, Twentynine Palms, and Yucca
5 Valley, California.

6 “(6) A representative of each of the Colorado
7 River, Fort Mojave, and the Chemehuevi Indian
8 tribes.

9 “(7) A representative from the Department of
10 Defense.

11 “(8) A representative of the Wildlands Conser-
12 vancy.

13 “(9) A representative of a local conservation or-
14 ganization.

15 “(10) A representative of a historical preserva-
16 tion organization.

17 “(11) A representative from each of the fol-
18 lowing recreational activities:

19 “(A) Off-highway vehicles.

20 “(B) Hunting.

21 “(C) Rockhounding.

22 “(c) TERMS.—

23 “(1) IN GENERAL.—In appointing members
24 under paragraphs (1) through (11) of subsection
25 (b), the Secretary shall appoint 1 primary member

1 and 1 alternate member that meets the qualifica-
2 tions described in each of those paragraphs.

3 “(2) VACANCY.—

4 “(A) PRIMARY MEMBER.—A vacancy on
5 the advisory committee with respect to a pri-
6 mary member shall be filled by the applicable
7 alternate member.

8 “(B) ALTERNATE MEMBER.—The Sec-
9 retary shall appoint a new alternate members in
10 the event of a vacancy with respect to an alter-
11 nate member of the advisory committee.

12 “(3) TERMINATION.—

13 “(A) IN GENERAL.—The term of all mem-
14 bers of the advisory committee shall terminate
15 on the termination of the advisory committee
16 under subsection (g).

17 “(B) NEW ADVISORY COMMITTEE.—At the
18 discretion of the Secretary, the Secretary may
19 establish a new advisory committee on the ter-
20 mination of the advisory committee under sub-
21 section (g) to provide ongoing recommendations
22 on the management of the Monument.

23 “(d) QUORUM.—A quorum of the advisory committee
24 shall consist of a majority of the primary members.

25 “(e) CHAIRPERSON AND PROCEDURES.—

1 “(1) IN GENERAL.—The advisory committee
2 shall select a chairperson and vice chairperson from
3 among the primary members of the advisory com-
4 mittee.

5 “(2) DUTIES.—The chairperson and vice chair-
6 person selected under paragraph (1) shall establish
7 any rules and procedures for the advisory committee
8 that the chairperson and vice-chairperson determine
9 to be necessary or desirable.

10 “(f) SERVICE WITHOUT COMPENSATION.—Members
11 of the advisory committee shall serve without pay.

12 “(g) TERMINATION.—The advisory committee shall
13 cease to exist on—

14 “(1) the date on which the management plan is
15 officially adopted by the Secretary; or

16 “(2) at the discretion of the Secretary, a later
17 date established by the Secretary.

18 **“SEC. 1307. RENEWABLE ENERGY RIGHT-OF-WAY APPLICA-**
19 **TIONS.**

20 “(a) IN GENERAL.—Applicants for rights-of-way for
21 the development of solar energy facilities that have been
22 terminated by the establishment of the Monument shall
23 be granted the right of first refusal to apply for replace-
24 ment sites that—

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

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

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

10 “(1) submitted an application for a right-of-way
11 to the Bureau of Land Management;

12 “(2) completed a plan of development to de-
13 velop a solar energy facility on land within the
14 Monument;

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

18 “(4) successfully submitted an application for
19 an interconnection agreement with an electrical grid
20 operator that is registered with the North American
21 Electric Reliability Corporation; and

22 “(5)(A) secured a power purchase agreement;
23 or

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

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

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

11 “(2) have—

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

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

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

23 “(e) DEADLINES.—A right of first refusal granted
24 under this section shall only be exercisable by the later
25 of—

1 “(1) the date that is 180 days after the date of
2 enactment of this title; or

3 “(2) the date that is 180 days after the date of
4 the designation of the Solar Energy Zones under the
5 Solar Energy Programmatic Environmental Impact
6 Statement.

7 “(f) EXPEDITED APPLICATION PROCESSING.—The
8 Secretary shall expedite the review of replacement site ap-
9 plications from eligible applicants, as described in sub-
10 section (b).

11 **“TITLE XIV—SAND TO SNOW**
12 **NATIONAL MONUMENT**

13 **“SEC. 1401. DEFINITIONS.**

14 “In this title:

15 “(1) MAP.—The term ‘map’ means the map en-
16 titled ‘Boundary Map, Sand to Snow National
17 Monument’ and dated October 26, 2009.

18 “(2) MONUMENT.—The term ‘Monument’
19 means the Sand to Snow National Monument estab-
20 lished by section 1402(a).

21 “(3) SECRETARIES.—The term ‘Secretaries’
22 means the Secretary of the Interior and the Sec-
23 retary of Agriculture, acting jointly.

1 **“SEC. 1402. ESTABLISHMENT OF THE SAND TO SNOW NA-**
2 **TIONAL MONUMENT.**

3 “(a) **ESTABLISHMENT.**—There is designated in the
4 State the Sand to Snow National Monument.

5 “(b) **PURPOSES.**—The purposes of the Monument
6 are—

7 “(1) to preserve the nationally significant bio-
8 logical, cultural, educational, geological, historic, sce-
9 nic, and recreational values at the convergence of
10 the Mojave and Colorado Desert and the San
11 Bernardino Mountains; and

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

16 “(c) **BOUNDARIES.**—The Monument shall consist of
17 the Federal land and Federal interests in land within the
18 boundaries depicted on the map.

19 “(d) **MAP; LEGAL DESCRIPTIONS.**—

20 “(1) **LEGAL DESCRIPTION.**—As soon as prac-
21 ticable after the date of enactment of this title, the
22 Secretary shall submit to the Committee on Natural
23 Resources of the House of Representatives and the
24 Committee on Energy and Natural Resources of the
25 Senate legal descriptions of the Monument, based on
26 the map.

1 “(2) CORRECTIONS.—The map and legal de-
2 criptions of the Monument shall have the same
3 force and effect as if included in this title, except
4 that the Secretary may correct clerical and typo-
5 graphical errors in the map and legal descriptions.

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

9 **“SEC. 1403. MANAGEMENT OF THE MONUMENT.**

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

11 “(1) only allow uses of the Monument that—

12 “(A) further the purposes described in sec-
13 tion 1402(b);

14 “(B) are included in the management plan
15 developed under subsection (g); and

16 “(C) do not interfere with the utility
17 rights-of-way authorized under section 1405(e);
18 and

19 “(2) subject to valid existing rights, manage the
20 Monument to protect the resources of the Monu-
21 ment, in accordance with—

22 “(A) this title;

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

25 and

1 “(C) any other applicable provisions of law.

2 “(b) COOPERATION AGREEMENTS; GENERAL AU-
3 THORITY.—Consistent with the management plan and ex-
4 isting authorities applicable to the Monument, the Sec-
5 retary may enter into cooperative agreements and shared
6 management arrangements (including special use permits
7 with any person (including educational institutions and In-
8 dian tribes)), for the purposes of interpreting, researching,
9 and providing education on the resources of the Monu-
10 ment.

11 “(c) ADMINISTRATION OF SUBSEQUENTLY AC-
12 QUIRED LAND.—Any land or interest in land within the
13 boundaries of the Monument that is acquired by the Sec-
14 retary of the Interior or the Secretary of Agriculture after
15 the date of enactment of this title shall be managed by
16 the Secretary of Agriculture or the Secretary of the Inte-
17 rior, respectively, in accordance with this title.

18 “(d) LIMITATIONS.—

19 “(1) PROPERTY RIGHTS.—The establishment of
20 the Monument does not—

21 “(A) affect—

22 “(i) any property rights of an Indian
23 reservation, individually held trust land, or
24 any other Indian allotments;

1 “(ii) any land or interests in land held
2 by the State, any political subdivision of
3 the State, or any special district; or

4 “(iii) any private property rights with-
5 in the boundaries of the Monument; or

6 “(B) grant to the Secretary any authority
7 on or over non-Federal land not already pro-
8 vided by law.

9 “(2) AUTHORITY.—The authority of the Sec-
10 retary under this title extends only to Federal land
11 and Federal interests in land included in the Monu-
12 ment.

13 “(e) ADJACENT MANAGEMENT.—

14 “(1) IN GENERAL.—Nothing in this title creates
15 any protective perimeter or buffer zone around the
16 Monument.

17 “(2) ACTIVITIES OUTSIDE MONUMENT.—The
18 fact that an activity or use on land outside the
19 Monument can be seen or heard within the Monu-
20 ment shall not preclude the activity or use outside
21 the boundary of the Monument.

22 “(3) NO ADDITIONAL REGULATION.—Nothing
23 in this title requires additional regulation of activi-
24 ties on land outside the boundary of the Monument.

1 “(f) AIR AND WATER QUALITY.—Nothing in this title
2 affects the standards governing air or water quality out-
3 side the boundary of the Monument.

4 “(g) MANAGEMENT PLAN.—

5 “(1) IN GENERAL.—The Secretaries shall—

6 “(A) not later than 3 years after the date
7 of enactment of this title, complete a manage-
8 ment plan for the conservation and protection
9 of the Monument; and

10 “(B) on completion of the management
11 plan—

12 “(i) submit the management plan
13 to—

14 “(I) the Committee on Natural
15 Resources of the House of Represent-
16 atives; and

17 “(II) the Committee on Energy
18 and Natural Resources of the Senate;
19 and

20 “(ii) make the management plan
21 available to the public.

22 “(2) INCLUSIONS.—The management plan shall
23 include provisions that—

24 “(A) provide for the conservation and pro-
25 tection of the Monument;

1 “(B) authorize the continued recreational
2 uses of the Monument (including hiking, camp-
3 ing, hunting, mountain biking, sightseeing, off-
4 highway vehicle recreation on designated routes,
5 rockhounding, and horseback riding), if the rec-
6 reational uses are consistent with this title and
7 any other applicable law;

8 “(C) address the need for and, as nec-
9 essary, establish plans for, the installation, con-
10 struction, and maintenance of public utility en-
11 ergy transport facilities within rights-of-way in
12 the Monument outside of designated wilderness
13 areas, including provisions that require that—

14 “(i) the activities be conducted in a
15 manner that minimizes the impact on
16 Monument resources (including resources
17 relating to the ecological, cultural, historic,
18 and scenic viewshed of the Monument), in
19 accordance with any other applicable law;
20 and

21 “(ii) the facilities are consistent with
22 this section and any other applicable law;

23 “(D) address the designation and mainte-
24 nance of roads, trails, and paths in the Monu-
25 ment;

1 “(E) address regional fire management
2 planning and coordination between the Director
3 of the Bureau of Land Management, the Chief
4 of the Forest Service, Riverside County, and
5 San Bernardino County; and

6 “(F) address the establishment of a visitor
7 center to serve the Monument and adjacent
8 public land.

9 “(3) PREPARATION AND IMPLEMENTATION.—

10 “(A) APPLICABLE LAW.—The Secretary
11 shall prepare and implement the management
12 plan in accordance with the National Environ-
13 mental Policy Act of 1969 (42 U.S.C. 4321 et
14 seq.) and any other applicable laws.

15 “(B) CONSULTATION.—In preparing and
16 implementing the management plan, the Sec-
17 retary shall periodically consult with—

18 “(i) the advisory committee estab-
19 lished under section 1406;

20 “(ii) interested private property own-
21 ers and holders of valid existing rights lo-
22 cated within the boundaries of the Monu-
23 ment; and

24 “(iii) representatives of the Morongo
25 Band of Mission Indians and other Indian

1 tribes with historic or cultural ties to land
2 within, or adjacent to, the Monument re-
3 garding the management of portions of the
4 Monument that are of cultural importance
5 to the Indian tribes.

6 “(4) INTERIM MANAGEMENT.—Except as other-
7 wise prohibited by this Act, pending completion of
8 the management plan for the Monument, the Sec-
9 retary shall manage any Federal land and Federal
10 interests in land within the boundary of the Monu-
11 ment—

12 “(A) consistent with the existing permitted
13 uses of the land;

14 “(B) in accordance with the general guide-
15 lines and authorities of the existing manage-
16 ment plans of the Bureau of Land Management
17 and the Forest Service for the land; and

18 “(C) in a manner consistent with—

19 “(i) the purposes described in section
20 1402(b);

21 “(ii) the provisions of the manage-
22 ment plan under paragraph (2); and

23 “(iii) applicable Federal law.

1 “(5) EFFECT OF SECTION.—Nothing in this
2 section diminishes or alters existing authorities ap-
3 plicable to Federal land included in the Monument.

4 **“SEC. 1404. USES OF THE MONUMENT.**

5 “(a) USE OF OFF-HIGHWAY VEHICLES.—

6 “(1) IN GENERAL.—The use of off-highway ve-
7 hicles in the Monument (including the use of off-
8 highway vehicles for commercial touring) shall be
9 permitted to continue on designated routes, subject
10 to all applicable law and authorized by the manage-
11 ment plan.

12 “(2) NONDESIGNATED ROUTES.—Off-highway
13 vehicle access shall be permitted on nondesignated
14 routes and trails in the Monument—

15 “(A) for administrative purposes;

16 “(B) to respond to an emergency; or

17 “(C) as authorized under the management
18 plan.

19 “(3) INVENTORY.—Not later than 2 years after
20 the date of enactment of this title, the Director of
21 the Bureau of Land Management shall complete an
22 inventory of all existing routes in the Monument.

23 “(b) HUNTING, TRAPPING, AND FISHING.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (2), the Secretary shall permit hunting, trap-

1 ping, and fishing within the Monument in accord-
2 ance with applicable Federal and State laws (includ-
3 ing regulations) as of the date of enactment of this
4 title.

5 “(2) TRAPPING.—No amphibians or reptiles
6 may be collected within the Monument.

7 “(3) REGULATIONS.—The Secretary, after con-
8 sultation with the California Department of Fish
9 and Game, may issue regulations designating zones
10 where, and establishing periods during which, no
11 hunting, trapping, or fishing shall be permitted in
12 the Monument for reasons of public safety, adminis-
13 tration, resource protection, or public use and enjoy-
14 ment.

15 “(c) ACCESS TO STATE AND PRIVATE LAND.—The
16 Secretary shall provide adequate access to each owner of
17 non-Federal land or interests in non-Federal land within
18 the boundary of the Monument to ensure the reasonable
19 use and enjoyment of the land or interest by the owner.

20 “(d) LIMITATIONS.—

21 “(1) COMMERCIAL ENTERPRISES.—Except as
22 provided in paragraphs (2) and (3), or as required
23 for the maintenance, upgrade, expansion, or develop-
24 ment of energy transport facilities in the corridors
25 described in subsection (e), no commercial enter-

1 prises shall be authorized within the boundary of the
2 Monument after the date of enactment of this title.

3 “(2) AUTHORIZED EXCEPTIONS.—The Sec-
4 retary may authorize exceptions to paragraph (1) if
5 the Secretary determines that the commercial enter-
6 prises would further the purposes described in sec-
7 tion 1402(b).

8 “(3) TRANSMISSION AND TELECOMMUNICATION
9 FACILITIES.—This subsection does not apply to—

10 “(A) transmission and telecommunication
11 facilities that are owned or operated by a utility
12 subject to regulation by the Federal Govern-
13 ment or a State government or a State utility
14 with a service obligation (as those terms are de-
15 fined in section 217 of the Federal Power Act
16 (16 U.S.C. 824q)); or

17 “(B) commercial vehicular touring enter-
18 prises within the Monument that operate on
19 designated routes.

20 “(e) UTILITY RIGHTS-OF-WAY.—

21 “(1) IN GENERAL.—Nothing in this Act pre-
22 cludes, prevents, or inhibits the maintenance, up-
23 grade, expansion, or development of energy trans-
24 port facilities within the Monument that are critical

1 to reducing the effects of climate change on the envi-
2 ronment.

3 “(2) RIGHT-OF-WAY.—To the maximum extent
4 practicable—

5 “(A) the Secretary shall permit rights of
6 way and alignments that best protect the values
7 and resources of the Monument described in
8 section 1402(b); and

9 “(B) the Secretary shall ensure that exist-
10 ing rights-of-way and utility corridors within
11 the Monument are fully utilized before permit-
12 ting new rights-of-way or designating new util-
13 ity corridors within the Monument.

14 “(3) EFFECT ON EXISTING FACILITIES AND
15 RIGHTS-OF-WAY.—Nothing in this section terminates
16 or limits—

17 “(A) any valid right-of-way in existence
18 within the Monument on the date of enactment
19 of this title (including customary operation,
20 maintenance, repair, or replacement activities in
21 a right-of-way); or

22 “(B) a right-of-way authorization issued on
23 the expiration or the assignment of an existing
24 right-of-way authorization described in subpara-
25 graph (A).

1 “(4) UPGRADING AND EXPANSION OF EXISTING
2 RIGHTS-OF-WAY.—Nothing in this subsection pro-
3 hibits the upgrading (including the construction or
4 replacement), expansion, or assignment of an exist-
5 ing utility transmission line for the purpose of in-
6 creasing the capacity of—

7 “(A) a transmission line in existing rights-
8 of-way; or

9 “(B) a right-of-way issued, granted, or
10 permitted by the Secretary that is contiguous or
11 adjacent to existing transmission line rights-of-
12 way.

13 “(5) NEW RIGHTS-OF-WAY.—

14 “(A) IN GENERAL.—Any new rights-of-way
15 or new uses within existing rights-of-way shall,
16 subject to subparagraph (B), require review and
17 approval under the National Environmental
18 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

19 “(B) APPROVAL.—New uses under sub-
20 paragraph (A) shall only be approved if the
21 head of the applicable lead Federal agency, in
22 consultation with other applicable agencies, de-
23 termine that the uses are consistent with—

24 “(i) this title;

25 “(ii) other applicable laws;

1 “(iii) the purposes of the Monument
2 described in section 1402(b); and

3 “(iv) the management plan for the
4 Monument.

5 “(6) EFFECT ON ENERGY TRANSPORT COR-
6 RIDORS.—Nothing in this subsection diminishes the
7 utility of energy transport corridors located within
8 the Monument designated by a record of decision—

9 “(A) to provide locations for—

10 “(i) electric transmission facilities
11 that improve reliability, relieve congestion,
12 and enhance the national grid; and

13 “(ii) oil, gas, and hydrogen pipelines;
14 and

15 “(B) to provide locations for electric trans-
16 mission facilities that—

17 “(i) promote renewable energy genera-
18 tion;

19 “(ii) otherwise further the interest of
20 the United States if the transmission fa-
21 cilities are identified as critical in law or
22 through a regional transmission planning
23 process; or

1 “(iii) consist of high-voltage trans-
2 mission facilities critical to the purposes
3 described in clause (i) or (ii).

4 “(7) LAND USE PLANNING.—In conducting
5 land use planning for the Monument, the Sec-
6 retary—

7 “(A) shall consider the existing locations of
8 the corridors described in paragraph (6); and

9 “(B) subject to paragraph (8), may amend
10 the location of any energy corridors to comply
11 with purposes of the Monument if the amended
12 corridor—

13 “(i) provides connectivity across the
14 landscape that is equivalent to the
15 connectivity provided by the existing loca-
16 tion;

17 “(ii) meets the criteria established
18 by—

19 “(I) section 368 of the Energy
20 Policy Act of 2005 (42 U.S.C.
21 15926); and

22 “(II) the record of decision for
23 the applicable corridor; and

24 “(iii) does not impair or restrict the
25 uses of existing rights-of-way.

1 “(8) CONSULTATION REQUIRED.—Before
2 amending a corridor under paragraph (7)(B), the
3 Secretary shall consult with all interested parties
4 (including the persons identified in section 368(a) of
5 the Energy Policy Act of 2005 (42 U.S.C.
6 15926(a))), in accordance with applicable laws (in-
7 cluding regulations).

8 “(f) OVERFLIGHTS.—Nothing in this title or the
9 management plan restricts or precludes—

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

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

15 “(3) the establishment of military flight train-
16 ing routes over the Monument.

17 “(g) WITHDRAWALS.—

18 “(1) IN GENERAL.—Subject to valid existing
19 rights and except as provided in paragraph (2), the
20 Federal land and interests in Federal land included
21 within the Monument are withdrawn from—

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

24 “(B) location, entry, and patent under the
25 public land mining laws;

1 “(C) operation of the mineral leasing, geo-
2 thermal leasing, and mineral materials laws;
3 and

4 “(D) energy development and power gen-
5 eration.

6 “(2) EXCHANGE.—Paragraph (1) does not
7 apply to an exchange that the Secretary determines
8 would further the protective purposes of the Monu-
9 ment.

10 “(h) ACCESS TO RENEWABLE ENERGY FACILI-
11 TIES.—

12 “(1) IN GENERAL.—Subject to paragraph (2),
13 the Secretary may allow new right-of-ways within
14 the Monument to provide reasonable vehicular access
15 to renewable energy project sites outside the bound-
16 aries of the Monument.

17 “(2) RESTRICTIONS.—To the maximum extent
18 practicable, the rights-of-way shall be designed and
19 sited to be consistent with the purposes of the
20 Monument described in section 1402(b).

21 **“SEC. 1405. ACQUISITION OF LAND.**

22 “(a) IN GENERAL.—The Secretary may acquire for
23 inclusion in the Monument any land or interests in land
24 within the boundary of the Monument owned by the State,

1 units of local government, Indian tribes, or private individ-
2 uals only by—

3 “(1) donation;

4 “(2) exchange with a willing party; or

5 “(3) purchase from a willing seller for fair mar-
6 ket value.

7 “(b) USE OF EASEMENTS.—To the maximum extent
8 practicable and only with the approval of the landowner,
9 the Secretary may use permanent conservation easements
10 to acquire an interest in land in the Monument rather
11 than acquiring fee simple title to the land.

12 “(c) INCORPORATION OF ACQUIRED LAND AND IN-
13 TERESTS IN LAND.—Any land or interest in land within
14 the boundaries of the Monument that is acquired by the
15 United States after the date of enactment of this title shall
16 be added to and administered as part of the Monument.

17 “(d) DONATED AND ACQUIRED LAND.—

18 “(1) IN GENERAL.—All land within the bound-
19 ary of the Monument donated to the United States
20 or acquired using amounts from the land and water
21 conservation fund established under section 2 of the
22 Land and Water Conservation Fund Act of 1965
23 (16 U.S.C. 4601–5) before, on, or after the date of
24 enactment of this title—

25 “(A) is withdrawn from mineral entry;

1 “(B) shall be managed in accordance with
2 section 1904; and

3 “(C) shall be managed consistent with the
4 purposes of the Monument described in section
5 1402(b).

6 “(2) EFFECT ON MONUMENT.—Land within the
7 boundary of the Monument that is contiguous to
8 land donated to the United States or acquired using
9 amounts from the land and water conservation fund
10 established under section 2 of the Land and Water
11 Conservation Fund Act of 1965 (16 U.S.C. 4601–5)
12 shall be managed in a manner consistent with con-
13 servation purposes, subject to applicable law.

14 **“SEC. 1406. ADVISORY COMMITTEE.**

15 “(a) IN GENERAL.—The Secretary shall establish an
16 advisory committee for the Monument, the purpose of
17 which is to advise the Secretary with respect to the prepa-
18 ration and implementation of the management plan re-
19 quired by section 1403(g).

20 “(b) MEMBERSHIP.—To the extent practicable, the
21 advisory committee shall include the following members,
22 to be appointed by the Secretary:

23 “(1) A representative with expertise in natural
24 science and research selected from a regional univer-
25 sity or research institute.

1 “(2) A representative of the Department of De-
2 fense.

3 “(3) A representative of the California Natural
4 Resources Agency.

5 “(4) A representative of each of San
6 Bernardino and Riverside Counties, California.

7 “(5) A representative of each of the cities of
8 Desert Hot Springs and Yucca Valley, California.

9 “(6) A representative of the Morongo Band of
10 Mission Indians.

11 “(7) A representative of the Friends of Big
12 Morongo Preserve.

13 “(8) A representative of the Wildlands Conser-
14 vancy.

15 “(9) A representative of the Coachella Valley
16 Mountains Conservancy.

17 “(10) A representative of the San Gorgonio
18 Wilderness Association.

19 “(11) A representative of the Morongo Basin
20 Community Services District.

21 “(12) A representative from each of the fol-
22 lowing recreational activities:

23 “(A) Off-highway vehicles.

24 “(B) Hunting.

25 “(C) Rockhounding.

1 “(c) TERMS.—

2 “(1) IN GENERAL.—In appointing members
3 under paragraphs (1) through (12) of subsection
4 (b), the Secretary shall appoint 1 primary member
5 and 1 alternate member that meets the qualifica-
6 tions described in each of those paragraphs.

7 “(2) VACANCY.—

8 “(A) PRIMARY MEMBER.—A vacancy on
9 the advisory committee with respect to a pri-
10 mary member shall be filled by the applicable
11 alternate member.

12 “(B) ALTERNATE MEMBER.—The Sec-
13 retary shall appoint a new alternate members in
14 the event of a vacancy with respect to an alter-
15 nate member of the advisory committee.

16 “(3) TERMINATION.—

17 “(A) IN GENERAL.—The term of all mem-
18 bers of the advisory committee shall terminate
19 on the termination of the advisory committee
20 under subsection (g).

21 “(B) NEW ADVISORY COMMITTEE.—At the
22 discretion of the Secretary, the Secretary may
23 establish a new advisory committee on the ter-
24 mination of the advisory committee under sub-

1 section (g) to provide ongoing recommendations
2 on the management of the Monument.

3 “(d) QUORUM.—A quorum of the advisory committee
4 shall consist of a majority of the primary members.

5 “(e) CHAIRPERSON AND PROCEDURES.—

6 “(1) IN GENERAL.—The advisory committee
7 shall select a chairperson and vice chairperson from
8 among the primary members of the advisory com-
9 mittee.

10 “(2) DUTIES.—The chairperson and vice chair-
11 person selected under paragraph (1) shall establish
12 any rules and procedures for the advisory committee
13 that the chairperson and vice-chairperson determine
14 to be necessary or desirable.

15 “(f) SERVICE WITHOUT COMPENSATION.—Members
16 of the advisory committee shall serve without pay.

17 “(g) TERMINATION.—The advisory committee shall
18 cease to exist on—

19 “(1) the date on which the management plan is
20 officially adopted by the Secretary; or

21 “(2) at the discretion of the Secretary, a later
22 date established by the Secretary.

1 **“TITLE XV—WILDERNESS**

2 **“SEC. 1501. DESIGNATION OF WILDERNESS AREAS.**

3 “(a) DESIGNATION OF WILDERNESS AREAS TO BE
4 ADMINISTERED BY THE BUREAU OF LAND MANAGE-
5 MENT.—In accordance with the Wilderness Act (16 U.S.C.
6 1131 et seq.) and sections 601 and 603 of the Federal
7 Land Policy and Management Act of 1976 (43 U.S.C.
8 1781, 1782), the following land in the State is designated
9 as wilderness areas and as components of the National
10 Wilderness Preservation System:

11 “(1) AVAWATZ MOUNTAINS WILDERNESS.—Cer-
12 tain land in the Conservation Area administered by
13 the Director of the Bureau of Land Management,
14 comprising approximately 86,614 acres, as generally
15 depicted on the map entitled ‘Avawatz Mountains
16 Proposed Wilderness’ and dated July 15, 2009, to
17 be known as the ‘Avawatz Mountains Wilderness’.

18 “(2) GOLDEN VALLEY WILDERNESS.—Certain
19 land in the Conservation Area administered by the
20 Director of the Bureau of Land Management, com-
21 prising approximately 21,633 acres, as generally de-
22 picted on the map entitled ‘Golden Valley Proposed
23 Wilderness’ and dated July 15, 2009, which shall be
24 considered to be part of the ‘Golden Valley Wilder-
25 ness’.

1 “(3) GREAT FALLS BASIN WILDERNESS.—

2 “(A) IN GENERAL.—Certain land in the
3 Conservation Area administered by the Director
4 of the Bureau of Land Management, com-
5 prising approximately 7,871 acres, as generally
6 depicted on the map entitled ‘Great Falls Basin
7 Proposed Wilderness’ and dated October 26,
8 2009, to be known as the ‘Great Falls Basin
9 Wilderness’.

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

14 “(4) KINGSTON RANGE WILDERNESS.—Certain
15 land in the Conservation Area administered by the
16 Bureau of Land Management, comprising approxi-
17 mately 53,321 acres, as generally depicted on the
18 map entitled ‘Kingston Range Proposed Wilderness
19 Additions’ and dated July 15, 2009, which shall be
20 considered to be a part of as the ‘Kingston Range
21 Wilderness’.

22 “(5) SODA MOUNTAINS WILDERNESS.—Certain
23 land in the Conservation Area, administered by the
24 Bureau of Land Management, comprising approxi-
25 mately 79,376 acres, as generally depicted on the

1 map entitled ‘Soda Mountains Proposed Wilderness’
2 and dated October 26, 2009, to be known as the
3 ‘Soda Mountains Wilderness’.

4 “(b) DESIGNATION OF WILDERNESS AREAS TO BE
5 ADMINISTERED BY THE NATIONAL PARK SERVICE.—In
6 accordance with the Wilderness Act (16 U.S.C. 1131 et
7 seq.) and sections 601 and 603 of the Federal Land Policy
8 and Management Act of 1976 (43 U.S.C. 1781, 1782),
9 the following land in the State is designated as wilderness
10 areas and as components of the National Wilderness Pres-
11 ervation System:

12 “(1) DEATH VALLEY NATIONAL PARK WILDER-
13 NESS ADDITIONS.—Certain land in the Conservation
14 Area administered by the Director of the National
15 Park Service, comprising approximately 59,264
16 acres, as generally depicted on the map entitled
17 ‘Death Valley National Park Additions’ and dated
18 October 1, 2009, which shall be considered to be a
19 part of the Death Valley National Park Wilderness.

20 “(2) BOWLING ALLEY WILDERNESS.—Certain
21 land in the Conservation Area administered by the
22 Director of the Bureau of Land Management, com-
23 prising approximately 30,888 acres, as generally de-
24 picted on the map entitled ‘Death Valley National
25 Park Proposed Wilderness Area’, numbered 143/

1 100080, and dated June 2009, which shall be con-
2 sidered to be a part of the Death Valley National
3 Park Wilderness.

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

6 “(1) IN GENERAL.—In accordance with the Wil-
7 derness Act (16 U.S.C. 1131 et seq.) and sections
8 601 and 603 of the Federal Land Policy and Man-
9 agement Act of 1976 (43 U.S.C. 1781, 1782), the
10 land in the State described in paragraph (2) is des-
11 ignated as a wilderness area and as a component of
12 the National Wilderness Preservation System.

13 “(2) DESCRIPTION OF LAND.—The land re-
14 ferred to in paragraph (1) is certain land in the San
15 Bernardino National Forest, comprising approxi-
16 mately 7,141 acres, as generally depicted on the
17 map entitled ‘Proposed Sand to Snow National
18 Monument’ and dated October 26, 2009, which shall
19 considered to be a part of the San Gorgonio Wilder-
20 ness.

21 **“SEC. 1502. MANAGEMENT.**

22 “(a) ADJACENT MANAGEMENT.—

23 “(1) IN GENERAL.—Nothing in this title creates
24 any protective perimeter or buffer zone around the
25 wilderness areas designated by section 1501.

1 “(2) ACTIVITIES OUTSIDE WILDERNESS
2 AREAS.—

3 “(A) IN GENERAL.—The fact that an ac-
4 tivity (including military activities) or use on
5 land outside a wilderness area designated by
6 section 1501 can be seen or heard within the
7 wilderness area shall not preclude or restrict
8 the activity or use outside the boundary of the
9 wilderness area.

10 “(B) EFFECT ON NONWILDERNESS ACTIVI-
11 TIES.—

12 “(i) IN GENERAL.—In any permitting
13 proceeding (including a review under the
14 National Environmental Policy Act of
15 1969 (42 U.S.C. 4321 et seq.)) conducted
16 with respect to a project described in
17 clause (ii) that is formally initiated
18 through a notice in the Federal Register
19 before December 31, 2013, the consider-
20 ation of any visual, noise, or other impacts
21 of the project on a wilderness area des-
22 ignated by section 1501 shall be conducted
23 based on the status of the area before des-
24 ignation as wilderness.

1 “(ii) DESCRIPTION OF PROJECTS.—A
2 project referred to in clause (i) is a renew-
3 able energy project—

4 “(I) for which the Bureau of
5 Land Management has received a
6 right-of-way use application on or be-
7 fore the date of enactment of this Act;
8 and

9 “(II) that is located outside the
10 boundary of a wilderness area des-
11 ignated by section 1501.

12 “(3) NO ADDITIONAL REGULATION.—Nothing
13 in this title requires additional regulation of activi-
14 ties on land outside the boundary of the wilderness
15 areas.

16 “(4) EFFECT ON MILITARY OPERATIONS.—
17 Nothing in this Act alters any authority of the Sec-
18 retary of Defense to conduct any military operations
19 at desert installations, facilities, and ranges of the
20 State that are authorized under any other provision
21 of law.

22 “(b) MAPS; LEGAL DESCRIPTIONS.—

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

1 wilderness area and wilderness addition designated
2 by section 1501 with—

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

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

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

12 “(3) PUBLIC AVAILABILITY.—Each map and
13 legal description filed under paragraph (1) shall be
14 filed and made available for public inspection in the
15 appropriate office of the Secretary.

16 “(c) ADMINISTRATION.—Subject to valid existing
17 rights, the land designated as wilderness or as a wilder-
18 ness addition by section 1501 shall be administered by the
19 Secretary in accordance with this Act and the Wilderness
20 Act (16 U.S.C. 1131 et seq.), except that any reference
21 in that Act to the effective date shall be considered to be
22 a reference to the date of enactment of this title.

23 **“SEC. 1503. RELEASE OF WILDERNESS STUDY AREAS.**

24 “(a) FINDING.—Congress finds that, for purposes of
25 section 603 of the Federal Land Policy and Management

1 Act of 1976 (43 U.S.C. 1782), any portion of a wilderness
2 study area described in subsection (b) that is not des-
3 ignated as a wilderness area or wilderness addition by sec-
4 tion 1501 or any other Act enacted before the date of en-
5 actment of this title has been adequately studied for wil-
6 derness.

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

9 “(1) the Cady Mountains Wilderness Study
10 Area;

11 “(2) the Great Falls Basin Wilderness Study
12 Area; and

13 “(3) the Soda Mountains Wilderness Study
14 Area.

15 “(c) RELEASE.—Any portion of a wilderness study
16 area described in subsection (b) that is not designated as
17 a wilderness area or wilderness addition by section 1501
18 is no longer subject to section 603(c) of the Federal Land
19 Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

20 **“TITLE XVI—DESIGNATION OF**
21 **SPECIAL MANAGEMENT AREA**

22 **“SEC. 1601. DEFINITIONS.**

23 “In this title:

1 ological, cultural, historic, and other resources of the
2 Management Area.

3 “(c) BOUNDARIES.—The Management Area shall
4 consist of the public land in Imperial County, California,
5 comprising approximately 74,714 acres, as generally de-
6 picted on the map.

7 “(d) MAP; LEGAL DESCRIPTION.—

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

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

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

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

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

24 “(A) the Office of the Director of the Bu-
25 reau of Land Management; and

1 “(B) the appropriate office of the Bureau
2 of Land Management in the State.

3 **“SEC. 1603. MANAGEMENT.**

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

8 “(1) is consistent with the purpose of the Man-
9 agement Area described in section 1602(b);

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

11 “(3) is consistent with applicable law.

12 “(b) OFF-HIGHWAY VEHICLE USE.—

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

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

20 “(A) to prevent, or allow for restoration of,
21 resource damage;

22 “(B) to protect tribal cultural resources,
23 including the resources identified in the tribal
24 cultural resources management plan developed
25 under section 1905(c);

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

2 “(D) as otherwise required by law.

3 “(3) DESIGNATION OF ADDITIONAL ROUTES.—

4 During the 3-year period beginning on the date of
5 enactment of this title, the Secretary—

6 “(A) shall accept petitions from the public
7 regarding additional routes for off-highway ve-
8 hicles; and

9 “(B) may designate additional routes that
10 the Secretary determines—

11 “(i) would provide significant or
12 unique recreational opportunities; and

13 “(ii) are consistent with the purposes
14 of the Management Area.

15 “(c) WITHDRAWAL.—Subject to valid existing rights,
16 all Federal land within the Management Area is with-
17 drawn 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, or disposition under
23 all laws relating to—

24 “(A) minerals; or

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

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

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

5 “(2) preclude uses or activities outside the
6 Management Area that are permitted under other
7 applicable laws, even if the uses or activities are pro-
8 hibited within the Management Area.

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

13 “(1) the placement of appropriate signage along
14 the designated routes;

15 “(2) the distribution of maps, safety education
16 materials, and other information that the Secretary
17 determines to be appropriate; and

18 “(3) restoration of areas that are not des-
19 ignated as open routes, including vertical mulching.

20 “(f) STEWARDSHIP.—The Secretary, in consultation
21 with Indian tribes and other interests, shall develop a pro-
22 gram to provide opportunities for monitoring and steward-
23 ship of the Management Area to minimize environmental
24 impacts and prevent resource damage from recreational
25 use, including volunteer assistance with—

- 1 “(1) route signage;
- 2 “(2) restoration of closed routes;
- 3 “(3) protection of Management Area resources;
- 4 and
- 5 “(4) recreation education.

6 “(g) PROTECTION OF TRIBAL CULTURAL RE-

7 SOURCES.—Not later than 2 years after the date of enact-

8 ment of this title, the Secretary, in accordance with the

9 National Historic Preservation Act (16 U.S.C. 470 et

10 seq.) and any other applicable law, shall—

11 “(1) prepare and complete a tribal cultural re-

12 sources survey of the Management Area; and

13 “(2) consult with the Quechan Indian Nation

14 and other Indian tribes demonstrating ancestral, cul-

15 tural, or other ties to the resources within the Man-

16 agement Area on the development and implementa-

17 tion of the tribal cultural resources survey under

18 paragraph (1).

19 **“SEC. 1604. POTENTIAL WILDERNESS.**

20 “(a) PROTECTION OF WILDERNESS CHARACTER.—

21 “(1) IN GENERAL.—The Secretary shall man-

22 age the Federal land in the Management Area de-

23 scribed in paragraph (2) in a manner that preserves

24 the character of the land for the eventual inclusion

1 of the land in the National Wilderness Preservation
2 System.

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

5 “(A) the approximately 9,160 acres of
6 land, as generally depicted on the map entitled
7 ‘Indian Pass Wilderness Additions-Proposed’
8 and dated November 10, 2009;

9 “(B) the approximately 17,436 acres of
10 land, as generally depicted on the map entitled
11 ‘Milpitas Wash Wilderness Area-Proposed’ and
12 dated November 10, 2009;

13 “(C) the approximately 13,647 acres of
14 land, as generally depicted on the map entitled
15 ‘Buzzard Peak Wilderness Area-Proposed’ and
16 dated November 10, 2009; and

17 “(D) the approximately 8,090 acres of
18 land, as generally depicted on the map entitled
19 ‘Palo Verde Mountain Wilderness Additions-
20 Proposed’ and dated November 10, 2009.

21 “(3) USE OF LAND.—

22 “(A) MILITARY USES.—The Secretary
23 shall manage the Federal land in the Manage-
24 ment Area described in paragraph (2) in a
25 manner that is consistent with the Wilderness

1 Act (16 U.S.C. 1131 et seq.), except that the
2 Secretary may authorize use of the land by the
3 Secretary of the Navy for Naval Special War-
4 fare Tactical Training, including long-range
5 small unit training and navigation, vehicle con-
6 cealment, and vehicle sustainment training, in
7 accordance with applicable Federal laws.

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

11 “(i) Permanent roads.

12 “(ii) Commercial enterprises.

13 “(iii) Except as necessary to meet the
14 minimum requirements for the administra-
15 tion of the Federal land and to protect
16 public health and safety—

17 “(I) the use of mechanized vehi-
18 cles; and

19 “(II) the establishment of tem-
20 porary roads.

21 “(4) WILDERNESS DESIGNATION.—

22 “(A) IN GENERAL.—The Federal land de-
23 scribed in paragraph (2) shall be designated as
24 wilderness and as a component of the National
25 Wilderness Preservation System on the date on

1 which the Secretary, in consultation with the
2 Secretary of Defense, publishes a notice in the
3 Federal Register that all activities on the Fed-
4 eral land that are incompatible with the Wilder-
5 ness Act (16 U.S.C. 1131 et seq.) have termi-
6 nated.

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

9 “(i) the land described in paragraph
10 (2)(A) shall be incorporated in, and shall
11 be considered to be a part of, the Indian
12 Pass Wilderness;

13 “(ii) the land described in paragraph
14 (2)(B) shall be designated as the ‘Milpitas
15 Wash Wilderness’;

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

19 “(iv) the land described in paragraph
20 (2)(D) shall be incorporated in, and shall
21 be considered to be a part of, the Palo
22 Verde Mountains Wilderness.

23 “(b) ADMINISTRATION OF WILDERNESS.—Subject to
24 valid existing rights, the land designated as wilderness or
25 as a wilderness addition by this title shall be administered

1 by the Secretary in accordance with this Act and the Wil-
2 derness Act (16 U.S.C. 1131 et seq.).

3 **“TITLE XVII—NATIONAL PARK**
4 **SYSTEM ADDITIONS**

5 **“SEC. 1701. DEATH VALLEY NATIONAL PARK BOUNDARY RE-**
6 **VISION.**

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

9 “(1) the approximately 33,041 acres of Bureau
10 of Land Management land abutting the southern
11 end of the Death Valley National Park that lies be-
12 tween Death Valley National Park to the north and
13 Ft. Irwin Military Reservation to the south and
14 which runs approximately 34 miles from west to
15 east, as depicted on the map entitled ‘Death Valley
16 National Park Proposed Boundary Addition’, num-
17 bered 143/100,080, and dated June 2009;

18 “(2) the approximately 6,379 acres of Bureau
19 of Land Management land in Inyo County, Cali-
20 fornia, located in the northeast area of Death Valley
21 National Park that is within, and surrounded by,
22 land under the jurisdiction of the Director of the
23 National Park Service, as depicted on the map enti-
24 tled ‘Proposed Crater Mine Area Addition to Death

1 Valley National Park’, numbered 143/100,079, and
2 dated June 2009; and

3 “(3)(A) on transfer of title to the private land
4 to the National Park Service, the approximately 280
5 acres of private land in Inyo County, California, lo-
6 cated adjacent to the southeastern boundary of
7 Death Valley National Park, as depicted on the map
8 entitled ‘Proposed Ryan Camp Addition to Death
9 Valley National Park’, numbered 143/100,097, and
10 dated June 2009; and

11 “(B) the approximately 1,040 acres of Bureau
12 of Land Management land contiguous to the private
13 land described in subparagraph (A), as depicted on
14 the map entitled ‘Proposed Ryan Camp Addition to
15 Death Valley National Park’, numbered 143/
16 100,097, and dated June 2009.

17 “(b) AVAILABILITY OF MAP.—The maps described in
18 paragraphs (1), (2), and (3) of subsection (a) shall be on
19 file and available for public inspection in the appropriate
20 offices of the National Park Service.

21 “(c) ADMINISTRATION.—The Secretary of the Inte-
22 rior (referred to in this section as the ‘Secretary’) shall—

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

1 “(A) as part of Death Valley National
2 Park; and

3 “(B) in accordance with applicable laws
4 (including regulations); and

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

13 **“SEC. 1702. MOJAVE NATIONAL PRESERVE.**

14 “(a) IN GENERAL.—The boundary of the Mojave Na-
15 tional Preserve is adjusted to include—

16 “(1) the 29,221 acres of Bureau of Land Man-
17 agement land that is surrounded by the Mojave Na-
18 tional Preserve to the northwest, west, southwest,
19 south, and southeast and by the Nevada State line
20 on the northeast boundary, as depicted on the map
21 entitled ‘Proposed Castle Mountain Addition to the
22 Mojave National Preserve’, numbered 170/100,075,
23 and dated August 2009; and

24 “(2) the 25 acres of Bureau of Land Manage-
25 ment land in Baker, California, as depicted on the

1 map entitled ‘Mojave National Preserve—Proposed
2 Boundary Addition’, numbered 170/100,199, and
3 dated August 2009.

4 “(b) AVAILABILITY OF MAPS.—The maps described
5 in subsection (a) shall be on file and available for public
6 inspection in the appropriate offices of the National Park
7 Service.

8 “(c) ADMINISTRATION.—The Secretary shall admin-
9 ister any land added to Mojave National Preserve under
10 subsection (a)—

11 “(1) as part of the Mojave National Preserve;
12 and

13 “(2) in accordance with applicable laws (includ-
14 ing regulations).

15 **“SEC. 1703. JOSHUA TREE NATIONAL PARK BOUNDARY RE-**
16 **VISION.**

17 “(a) IN GENERAL.—The boundary of the Joshua
18 Tree National Park is adjusted to include the 2,879 acres
19 of land managed by Director of the Bureau of Land Man-
20 agement that are contiguous at several different places to
21 the northern boundaries of Joshua Tree National Park in
22 the northwest section of the Park, as depicted on the map
23 entitled ‘Joshua Tree National Park Proposed Boundary
24 Additions’, numbered 156/100,007, and dated June 2009.

1 “(b) AVAILABILITY OF MAP.—The map described in
2 subsection (a) and the map depicting the 25 acres de-
3 scribed in subsection (c)(2) shall be on file and available
4 for public inspection in the appropriate offices of the Na-
5 tional Park Service.

6 “(c) ADMINISTRATION.—

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

11 “(A) as part of Joshua Tree National
12 Park; and

13 “(B) in accordance with applicable laws
14 (including regulations).

15 “(2) DESCRIPTION OF ADDITIONAL LAND.—The
16 additional land referred to in paragraph (1) is the
17 25 acres of land—

18 “(A) depicted on the map entitled ‘Joshua
19 Tree National Park Boundary Adjustment
20 Map’, numbered 156/80,049, and dated April 1,
21 2003;

22 “(B) added to Joshua Tree National Park
23 by the notice of the Department Interior of Au-
24 gust 28, 2003 (68 Fed. Reg. 51799); and

1 “(C) more particularly described as lots
 2 26, 27, 28, 33, and 34 in sec. 34, T. 1 N., R.
 3 8 E., San Bernardino Meridian.

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

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

7 **“TITLE XVIII—OFF-HIGHWAY**
 8 **VEHICLE RECREATION AREAS**

9 **“SEC. 1801. DESIGNATION OF OFF-HIGHWAY VEHICLE**
 10 **RECREATION AREAS.**

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

18 “(1) EL MIRAGE OFF-HIGHWAY VEHICLE
 19 RECREATION AREA.—Certain Bureau of Land Man-
 20 agement land in the Conservation Area, comprising
 21 approximately 25,600 acres, as generally depicted on
 22 the map entitled ‘El Mirage Off-Highway Vehicle
 23 Recreation Area’ and dated July 15, 2009, which
 24 shall be known as the ‘El Mirage Off-Highway Vehi-
 25 cle Recreation Area’.

1 “(2) JOHNSON VALLEY OFF-HIGHWAY VEHICLE
2 RECREATION AREA.—

3 “(A) IN GENERAL.—Certain Bureau of
4 Land Management land in the Conservation
5 Area, comprising approximately 180,000 acres,
6 as generally depicted on the map entitled ‘John-
7 son Valley Off-Highway Vehicle Recreation
8 Area’ and dated July 15, 2009, which shall be
9 known as the ‘Johnson Valley Off-Highway Ve-
10 hicle Recreation Area’.

11 “(B) EXCLUSIONS.—

12 “(i) IN GENERAL.—Subject to clause
13 (iii), the land described in clause (ii) shall
14 be excluded from the Johnson Valley Off-
15 Highway Vehicle Recreation Area to per-
16 mit the Secretary of the Navy to study the
17 land for—

18 “(I) withdrawal in accordance
19 with the Act of February 28, 1958
20 (43 U.S.C. 155 et seq.); and

21 “(II) potential inclusion in the
22 Marine Corps Air Ground Combat
23 Center at Twentynine Palms, Cali-
24 fornia, for national defense purposes.

1 “(ii) STUDY AREA.—The land referred
2 to in clause (i) is the land that—

3 “(I) is described in—

4 “(aa) the notice of the Bu-
5 reau of Land Management of
6 September 15, 2008 entitled ‘No-
7 tice of Proposed Legislative
8 Withdrawal and Opportunity for
9 Public Meeting; California’ (73
10 Fed. Reg. 53269); or

11 “(bb) any subsequent notice
12 in the Federal Register that is
13 related to the notice described in
14 item (aa); and

15 “(II) has been segregated by the
16 Director of the Bureau of Land Man-
17 agement.

18 “(iii) INCORPORATION IN OFF-HIGH-
19 WAY VEHICLE RECREATION AREA.—After
20 action by the Secretary of Defense and
21 Congress regarding the withdrawal under
22 subparagraph (A), any land within the
23 study area that is not withdrawn shall be
24 incorporated into the Johnson Valley Off-
25 Highway Vehicle Recreation Area.

1 “(C) JOINT USE OF CERTAIN LAND.—The
2 Secretary of Defense shall consider a potential
3 joint use area within the Johnson Valley Off-
4 Highway Vehicle Recreation Area as part of the
5 environmental impact statement of the Depart-
6 ment of Defense that would allow for continued
7 recreational opportunities on the joint use area
8 during periods in which—

9 “(i) the joint use area is not needed
10 for military training activities; and

11 “(ii) public safety can be ensured.

12 “(D) MILITARY ACCESS FOR ADMINISTRA-
13 TIVE PURPOSES.—In cooperation with the Sec-
14 retary of the Interior, the Secretary of the Navy
15 may, after notifying the Secretary of the Inte-
16 rior, access the Johnson Valley Off-Highway
17 Vehicle Recreation Area for national defense
18 purposes supporting military training (including
19 military range management and exercise control
20 activities).

21 “(3) RASOR OFF-HIGHWAY VEHICLE RECRE-
22 ATION AREA.—Certain Bureau of Land Management
23 land in the Conservation Area, comprising approxi-
24 mately 22,400 acres, as generally depicted on the
25 map entitled ‘Rasor Off-Highway Vehicle Recreation

1 Area’ and dated July 15, 2009, which shall be
2 known as the ‘Rasor Off-Highway Vehicle Recre-
3 ation Area’.

4 “(4) SPANGLER HILLS OFF-HIGHWAY VEHICLE
5 RECREATION AREA.—Certain Bureau of Land Man-
6 agement land in the Conservation Area, comprising
7 approximately 62,080 acres, as generally depicted on
8 the map entitled ‘Spangler Hills Off-Highway Vehi-
9 cle Recreation Area’ and dated July 15, 2009, which
10 shall be known as the ‘Spangler Off-Highway Vehi-
11 cle Recreation Area’.

12 “(5) STODDARD VALLEY OFF-HIGHWAY VEHI-
13 CLE RECREATION AREA.—Certain Bureau of Land
14 Management land in the Conservation Area, com-
15 prising approximately 54,400 acres, as generally de-
16 picted on the map entitled ‘Stoddard Valley Off-
17 Highway Vehicle Recreation Area’ and dated July
18 15, 2009, which shall be known as the ‘Stoddard
19 Valley Off-Highway Vehicle Recreation Area’.

20 “(b) PURPOSE.—The purpose of the off-highway ve-
21 hicle recreation areas designated under subsection (a) is
22 to preserve and enhance the recreational opportunities
23 within the Conservation Area (including opportunities for
24 off-highway vehicle recreation), while conserving the wild-

1 life and other natural resource values of the Conservation
2 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 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 by subsection (a),
5 including off-highway recreation, hiking, camp-
6 ing, hunting, mountain biking, sightseeing,
7 rockhounding, and horseback riding, as long as
8 the recreational use is consistent with this sec-
9 tion and any other applicable law.

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

22 “(2) WILDLIFE GUZZLERS.—Wildlife guzzlers
23 shall be allowed in the off-highway vehicle recreation
24 areas designated by subsection (a) in accordance

1 with applicable Bureau of Land Management guide-
2 lines.

3 “(3) PROHIBITED USES.—Residential and com-
4 mercial development (including development of min-
5 ing and energy facilities, but excluding transmission
6 line rights-of-way and related telecommunication fa-
7 cilities) shall be prohibited in the off-highway vehicle
8 recreation areas designated by subsection (a) if the
9 Secretary determines that the development is incom-
10 patible with the purpose described in subsection (b).

11 “(e) ADMINISTRATION.—

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

15 “(A) this title;

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

19 “(C) any other applicable laws (including
20 regulations).

21 “(2) MANAGEMENT PLAN.—

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

1 “(i) amend existing resource manage-
2 ment plans applicable to the land des-
3 ignated as off-highway vehicle recreation
4 areas under subsection (a); or

5 “(ii) develop new management plans
6 for each off-highway vehicle recreation
7 area designated under that subsection.

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

14 “(i) the purpose described in sub-
15 section (b); and

16 “(ii) any applicable laws (including
17 regulations).

18 “(C) INTERIM PLANS.—Pending comple-
19 tion of a new management plan under subpara-
20 graph (A), the existing resource management
21 plans shall govern the use of the applicable off-
22 highway vehicle recreation area.

23 “(f) STUDY.—

24 “(1) IN GENERAL.—As soon as practicable, but
25 not later than 2 years, after the date of enactment

1 of this title, the Secretary shall complete a study to
2 identify Bureau of Land Management land adjacent
3 to the off-highway vehicle recreation areas des-
4 ignated by subsection (a) that is suitable for addi-
5 tion to the off-highway vehicle recreation areas.

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

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

10 “(i) the State;

11 “(ii) San Bernardino County, Cali-
12 fornia;

13 “(iii) the public;

14 “(iv) recreational user groups; and

15 “(v) conservation organizations;

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

20 “(C) identify and exclude from consider-
21 ation any land that—

22 “(i) is managed for conservation pur-
23 poses;

24 “(ii) may be suitable for renewable en-
25 ergy development; or

1 “(iii) may be necessary for energy
2 transmission; and

3 “(D) not recommend or approve expansion
4 areas that collectively would exceed the total
5 acres administratively designated for off-high-
6 way recreation within the Conservation Area as
7 of the date of enactment of this title.

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

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

16 “(B) the Endangered Species Act of 1973
17 (16 U.S.C. 1531 et seq.); and

18 “(C) any other applicable law.

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

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

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

1 “(5) AUTHORIZATION FOR EXPANSION.—

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

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

11 **“TITLE XIX—MISCELLANEOUS**

12 **“SEC. 1901. STATE LAND TRANSFERS AND EXCHANGES.**

13 “(a) TRANSFER OF LAND TO ANZA-BORREGO
14 DESERT STATE PARK.—

15 “(1) IN GENERAL.—On termination of all min-
16 ing claims to the land described in paragraph (2),
17 the Secretary shall transfer the land described in
18 that paragraph to the State.

19 “(2) DESCRIPTION OF LAND.—The land re-
20 ferred to in paragraph (1) is certain Bureau of Land
21 Management land in San Diego County, California,
22 comprising approximately 934 acres, as generally de-
23 picted on the 2 maps entitled ‘Anza-Borrego Desert
24 State Park Additions-Table Mountain Wilderness
25 Study Area’ and dated July 15, 2009.

1 “(3) MANAGEMENT.—

2 “(A) IN GENERAL.—The land transferred
3 under paragraph (1) shall be managed in ac-
4 cordance with the provisions of the California
5 Wilderness Act (California Public Resources
6 Code sections 5093.30–5093.40).

7 “(B) WITHDRAWAL.—Subject to valid ex-
8 isting rights, the land transferred under para-
9 graph (1) is withdrawn from—

10 “(i) all forms of entry, appropriation,
11 or disposal under the public land laws;

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

14 “(iii) disposition under all laws relat-
15 ing to mineral and geothermal leasing.

16 “(C) REVERSION.—If the State ceases to
17 manage the land transferred under paragraph
18 (1) as part of the State Park System or in a
19 manner inconsistent with the California Wilder-
20 ness Act (California Public Resources Code sec-
21 tions 5093.30–5093.40), the land shall revert to
22 the Secretary, to be managed as a Wilderness
23 Study Area.

24 “(b) LAND EXCHANGES.—

1 “(1) IN GENERAL.—The Secretary shall, in con-
2 sultation and cooperation with the California State
3 Lands Commission (referred to in this section as the
4 ‘Commission’), develop a process to exchange iso-
5 lated parcels of State land within the Conservation
6 Area for Federal land located in the Conservation
7 Area or other Federal land in the State that—

8 “(A) is consistent with the plans described
9 in paragraph (2); and

10 “(B) ensures that the conservation goals
11 and objectives identified in those plans are not
12 adversely impacted.

13 “(2) DESCRIPTION OF PLANS.—The plans re-
14 ferred to in paragraph (1) are—

15 “(A) the California Desert Renewable En-
16 ergy Conservation Plan;

17 “(B) the California Desert Conservation
18 Area Plan;

19 “(C) the Northern and Eastern Colorado
20 Desert Plan; and

21 “(D) any other applicable plans.

22 “(3) REQUIREMENTS.—The process developed
23 under paragraph (1) shall—

1 “(A) apply to all State land within the
2 Conservation Area that is under the jurisdiction
3 of the Commission;

4 “(B) prioritize the elimination of State
5 land from units of the National Park System,
6 national monuments, and wilderness areas;

7 “(C) provide the Commission with consoli-
8 dated land holdings sufficient to make the land
9 viable for commercial or recreation uses, includ-
10 ing renewable energy development, off-highway
11 vehicle recreation, or State infrastructure or re-
12 source needs;

13 “(D) establish methods to ensure that—

14 “(i) not later than 1 year after the
15 date of enactment of this title, the Sec-
16 retary and the Commission complete an in-
17 ventory of Federal land and State land in
18 the Conservation Area under the jurisdic-
19 tion of the Secretary and the Commission,
20 respectively, and any other Federal land
21 and property outside the Conservation
22 Area that is determined to be suitable for
23 exchange consistent with paragraph (1);

24 “(ii) there is a public comment period
25 of not less than 90 days with respect to—

1 “(I) the inventory of land under
2 clause (i); and

3 “(II) any proposed land exchange
4 under this section that involves more
5 than 5,000 acres of Federal land;

6 “(iii) in preparing the inventory of
7 Federal land suitable for exchange under
8 clause (i), the Secretary shall use best ef-
9 forts to give priority to—

10 “(I) land that has the potential
11 for commercial development, including
12 renewable energy development, such
13 as wind and solar energy development;

14 “(II) the land described in sec-
15 tion 707(b)(2);

16 “(III) land located outside the
17 boundaries of the Conservation Area
18 (including closed military base land
19 and land identified as surplus by the
20 Administrator of the General Services
21 Administration) to avoid, to the max-
22 imum extent feasible, conflicts with
23 conservation of desert land;

1 “(iv) the inventory under clause (i) is
2 updated annually by the Secretary and re-
3 submitted to the Commission; and

4 “(v) the land exchanges are completed
5 by the date that is 10 years after the date
6 of enactment of this title; and

7 “(E) provide for the submission of annual
8 reports to Congress that—

9 “(i) describe any progress or impedi-
10 ments to accomplishing the goal described
11 in subparagraph (D)(v); and

12 “(ii) any recommendations for legisla-
13 tion to accomplish the goal.

14 “(4) VALUATION.—Notwithstanding paragraphs
15 (2) through (5) of subsection (d) of section 206 of
16 the Federal Land Policy and Management Act of
17 1976 (43 U.S.C. 1716(d)), if, within 180 days after
18 the submission of an appraisal under subsection
19 (d)(1) of that section, the Secretary and the Com-
20 mission cannot agree to accept the findings of the
21 appraisal—

22 “(A) the Secretary and the Commission
23 shall mutually agree to employ a process of bar-
24 gaining or some other process to determine the
25 values of the land involved in the exchange;

1 “(B) the appraisal shall be submitted to an
2 arbiter appointed by the Secretary from a list
3 of arbitrators submitted to the Secretary by the
4 American Arbitration Association for arbitra-
5 tion;

6 “(C) although the decision of the arbiter
7 under subparagraph (B) shall be nonbinding,
8 the decision may be used by the Secretary and
9 the Commission as a valid appraisal for—

10 “(i) a period of 2 years; and

11 “(ii) on mutual agreement of the Sec-
12 retary and the Commission, an additional
13 2-year period; or

14 “(D) on mutual agreement of the Sec-
15 retary and the Commission, the valuation proc-
16 ess shall be suspended or modified.

17 “(5) TREATMENT OF LAND USE RESTRICTIONS
18 AND PENDING APPLICATIONS.—For the purposes of
19 this title—

20 “(A) the Secretary shall not exclude par-
21 cels from exchanges because the parcels are
22 subject to designations or pending land use ap-
23 plications, including applications for the devel-
24 opment of renewable energy;

1 “(B) all Federal land and State land pro-
2 posed for exchange or sale shall be valued—

3 “(i) according to fair market value;

4 “(ii) in accordance with section
5 206(d) of the Federal Land Policy and
6 Management Act of 1976 (43 U.S.C.
7 1716(d)); and

8 “(iii) without regard to—

9 “(I) pending land use applica-
10 tions;

11 “(II) renewable energy designa-
12 tions; or

13 “(III) any land use restrictions
14 on adjacent land.

15 “(6) COOPERATION AGREEMENTS.—The Sec-
16 retary may—

17 “(A) enter into such joint agreements with
18 the General Services Administration and the
19 Commission as the Secretary determines to be
20 necessary to facilitate land exchanges, including
21 agreements that establish accounting mecha-
22 nisms—

23 “(i) to be used for tracking the dif-
24 ferential in dollar value of land conveyed in
25 a series of transactions; and

1 “(ii) that, notwithstanding part 2200
2 of title 43, Code of Federal Regulations (or
3 successor regulations), may carry out-
4 standing cumulative credit balances until
5 the completion of the land exchange proc-
6 ess developed under paragraph (1); and

7 “(B) to the extent that the agreement does
8 not conflict with this section, continue using the
9 agreement entitled ‘Memorandum of Agreement
10 Between California State Lands Commission,
11 General Services Administration, and the De-
12 partment of the Interior Regarding: Implemen-
13 tation of the California Desert Protection Act’,
14 which became effective on November 7, 1995.

15 “(7) EXISTING LAW.—Except as otherwise pro-
16 vided in this section, nothing in this section super-
17 sede or limits section 707.

18 “(8) STATE LAND LEASES.—

19 “(A) IN GENERAL.—The Secretary shall
20 manage any State land described in subpara-
21 graph (B) in accordance with the terms and
22 conditions of the applicable State lease agree-
23 ment for the duration of the lease, subject to
24 applicable laws (including regulations).

1 “(B) DESCRIPTION OF STATE LAND.—The
2 State land referred to in subparagraph (A) is
3 any State land within the Conservation Area
4 that is subject to a lease or permit on the date
5 of enactment of this title that is transferred to
6 the Federal Government.

7 “(C) EXPIRATION OF LEASE.—On the ex-
8 piration of a State lease referred to in subpara-
9 graph (A), the Secretary shall provide lessees
10 with the opportunity to seek Federal permits to
11 continue the existing use of the State land with-
12 out further action otherwise required under the
13 National Environmental Policy Act of 1969 (42
14 U.S.C. 4321 et seq.).

15 “(D) APPLICABLE LAW.—Except as other-
16 wise provided in this section, any State land
17 transferred to the United States under this sec-
18 tion shall be managed in accordance with all
19 laws (including regulations) and rules applicable
20 to the public land adjacent to the transferred
21 State land.

22 “(c) TWENTYNINE PALMS MARINE CORPS BASE.—

23 “(1) IN GENERAL.—The Secretary and the Sec-
24 retary of Defense, in consultation and in cooperation
25 with the California State Lands Commission, shall

1 develop a process to purchase or exchange parcels of
2 State land within the area of expansion and land use
3 restrictions planned for the Twentynine Palms Ma-
4 rine Corps Base.

5 “(2) REQUIREMENTS.—The process developed
6 under paragraph (1) for exchanged parcels of State
7 land shall provide the California State Lands Com-
8 mission with consolidated land holdings sufficient to
9 make the land viable for commercial or recreational
10 uses, including renewable energy development, off-
11 highway vehicle recreation, or State infrastructure
12 or resource needs.

13 “(3) APPLICABLE LAW.—An exchange of land
14 under this subsection shall be subject to the require-
15 ments of subsection (b).

16 “(d) HOLTVILLE AIRPORT, IMPERIAL COUNTY.—

17 “(1) IN GENERAL.—On the submission of an
18 application by Imperial County, California, the Sec-
19 retary of Transportation shall, in accordance with
20 section 47125 of title 49, United States Code, and
21 section 2641.1 of title 43, Code of Federal Regula-
22 tions (or successor regulations) seek a conveyance
23 from the Secretary of approximately 3,500 acres of
24 Bureau of Land Management land adjacent to the

1 Imperial County Holtville Airport (L04) for the pur-
 2 poses of airport expansion.

3 “(2) SEGREGATION.—The Secretary (acting
 4 through the Director of the Bureau of Land Man-
 5 agement) shall, with respect to the land to be con-
 6 veyed under paragraph (1)—

7 “(A) segregate the land; and

8 “(B) prohibit the appropriation of the land
 9 until—

10 “(i) the date on which a notice of re-
 11 alty action terminates the application; or

12 “(ii) the date on which a document of
 13 conveyance is published.

14 “(e) NEEDLES SOLAR RESERVE, SAN BERNARDINO
 15 COUNTY.—

16 “(1) IN GENERAL.—The Secretary shall grant
 17 to the Commission a right of first refusal to ex-
 18 change the State land described in paragraph (2) for
 19 Bureau of Land Management land identified for dis-
 20 posal.

21 “(2) SECONDARY RIGHT OF REFUSAL.—If the
 22 Commission declines to exchange State land for Bu-
 23 reau of Land Management land identified for dis-
 24 posal within the city limits of Needles, California,

1 the City of Needles shall have a secondary right of
2 refusal to acquire the land.

3 **“SEC. 1902. MILITARY ACTIVITIES.**

4 “Nothing in this Act—

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

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

9 “(B) to control access to the emergency
10 site;

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

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

16 “(B) all applicable laws (including regula-
17 tions);

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

1 “(4) restricts or precludes flight testing and
2 evaluation in the areas described in paragraph (3);
3 or

4 “(5) restricts or precludes the designation or
5 creation of new units of special use airspace, or the
6 establishment of military flight training routes, over
7 the areas described in paragraph (3).

8 **“SEC. 1903. CLIMATE CHANGE AND WILDLIFE CORRIDORS.**

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

10 “(1) assess the impacts of climate change on
11 the Conservation Area; and

12 “(2) establish policies and procedures to ensure
13 the preservation of wildlife corridors and facilitate
14 species migration likely to occur due to climate
15 change.

16 “(b) STUDY.—

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

22 “(2) COMPONENTS.—The study under para-
23 graph (1) shall—

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

1 “(B) examine the impacts and potential
2 impacts of climate change on—

3 “(i) plants, insects, and animals;

4 “(ii) soil;

5 “(iii) air quality;

6 “(iv) water quality and quantity; and

7 “(v) species migration and survival;

8 “(C) identify critical wildlife and species
9 migration corridors recommended for preserva-
10 tion; and

11 “(D) include recommendations for ensur-
12 ing the biological connectivity of public land
13 managed by the Secretary and the Secretary of
14 Defense throughout the Conservation Area.

15 “(3) RIGHTS-OF-WAY.—The Secretary shall
16 consider the information and recommendations of
17 the study under paragraph (1) to determine the in-
18 dividual and cumulative impacts of rights-of-way for
19 projects in the Conservation Area, in accordance
20 with—

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

23 “(B) the Endangered Species Act of 1973
24 (16 U.S.C. 1531 et seq.); and

25 “(C) any other applicable law.

1 “(c) LAND MANAGEMENT PLANS.—The Secretary
2 shall incorporate into all land management plans applica-
3 ble to the Conservation Area the findings and rec-
4 ommendations of the study completed under subsection
5 (b).

6 **“SEC. 1904. PROHIBITED USES OF DONATED AND AC-**
7 **QUIRED LAND.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ACQUIRED LAND.—The term ‘acquired
10 land’ means any land acquired for the Conservation
11 Area using amounts from the Land and Water Con-
12 servation Fund established under section 2 of the
13 Land and Water Conservation Fund Act of 1965
14 (16 U.S.C. 460l–5).

15 “(2) DONATED LAND.—The term ‘donated
16 land’ means any private land donated to the United
17 States for conservation purposes in the Conservation
18 Area.

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

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

1 “(b) PROHIBITIONS.—Except as provided in sub-
2 section (c), there shall be prohibited with respect to do-
3 nated land or acquired land—

4 “(1) disposal; or

5 “(2) any land use authorization that would re-
6 sult in appreciable damage or disturbance to the
7 public lands, including—

8 “(A) rights-of-way;

9 “(B) leases;

10 “(C) livestock grazing;

11 “(D) infrastructure development;

12 “(E) mineral entry;

13 “(F) off-highway vehicle use, except on—

14 “(i) designated routes;

15 “(ii) off-highway vehicle areas des-
16 igned by law; and

17 “(iii) administratively designated open
18 areas; and

19 “(G) any other activities that would create
20 impacts contrary to the conservation purposes
21 for which the land was donated or acquired.

22 “(c) EXCEPTIONS.—

23 “(1) AUTHORIZATION BY SECRETARY.—Subject
24 to paragraph (2), the Secretary may authorize lim-

1 ited exceptions to prohibited uses of donated land or
2 acquired land in the Conservation Area if—

3 “(A) an applicant has submitted a right-of-
4 way use application to the Bureau of Land
5 Management proposing renewable energy devel-
6 opment on the donated land or acquired land on
7 or before December 1, 2009; or

8 “(B) after the completion of an analysis
9 under the National Environmental Policy Act of
10 1969 (42 U.S.C. 4321 et seq.), including full
11 public participation in the analysis, the Sec-
12 retary has determined that—

13 “(i) the use of the donated land or ac-
14 quired land is in the public interest;

15 “(ii) the impacts of the use are fully
16 and appropriately mitigated; and

17 “(iii) the land was donated or ac-
18 quired on or before December 1, 2009.

19 “(2) CONDITIONS.—

20 “(A) IN GENERAL.—If the Secretary
21 grants an exception to the prohibition under
22 paragraph (1), the Secretary shall require the
23 permittee to acquire and donate comparable
24 private land to the United States to mitigate
25 the use.

1 “(B) APPROVAL.—The private land to be
2 donated under subparagraph (A) shall be ap-
3 proved by the Secretary after consultation, to
4 the maximum extent practicable, with the donor
5 of the private land proposed for non-conserva-
6 tion uses.

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

13 “(e) DEED RESTRICTIONS.—The Secretary may ac-
14 cept deed restrictions requested by donors for land do-
15 nated to the United States within the Conservation Area
16 after the date of enactment of this title.

17 **“SEC. 1905. TRIBAL USES AND INTERESTS.**

18 “(a) ACCESS.—The Secretary shall ensure access to
19 areas designated under this Act by members of Indian
20 tribes for traditional cultural and religious purposes, con-
21 sistent with applicable law, including Public Law 95–341
22 (commonly known as the “American Indian Religious
23 Freedom Act”) (42 U.S.C. 1996).

24 “(b) TEMPORARY CLOSURE.—

1 “(1) IN GENERAL.—In accordance with applica-
2 ble law, including Public Law 95–341 (commonly
3 known as the “American Indian Religious Freedom
4 Act”) (42 U.S.C. 1996), and subject to paragraph
5 (2), the Secretary, on request of an Indian tribe or
6 Indian religious community, shall temporarily close
7 to general public use any portion of an area des-
8 ignated as a national monument, special manage-
9 ment area, wild and scenic river, or National Park
10 System unit under this Act (referred to in this sub-
11 section as a ‘designated area’) to protect the privacy
12 of traditional cultural and religious activities in the
13 designated area by members of the Indian tribe or
14 Indian religious community.

15 “(2) LIMITATION.—In closing a portion of a
16 designated area under paragraph (1), the Secretary
17 shall limit the closure to the smallest practicable
18 area for the minimum period necessary for the tradi-
19 tional cultural and religious activities.

20 “(c) TRIBAL CULTURAL RESOURCES MANAGEMENT
21 PLAN.—

22 “(1) IN GENERAL.—Not later than 2 years
23 after the date of enactment of this title, the Sec-
24 retary of the Interior shall develop and implement a
25 tribal cultural resources management plan to iden-

1 tify, protect, and conserve cultural resources of In-
2 dian tribes associated with the Xam Kwatchan Trail
3 network extending from Avikwaame (Spirit Moun-
4 tain, Nevada) to Avikwlal (Pilot Knob, California).

5 “(2) CONSULTATION.—The Secretary shall con-
6 sult on the development and implementation of the
7 tribal cultural resources management plan under
8 paragraph (1) with—

9 “(A) each of—

10 “(i) the Chemehuevi Indian Tribe;

11 “(ii) the Hualapai Tribal Nation;

12 “(iii) the Fort Mojave Indian Tribe;

13 “(iv) the Colorado River Indian
14 Tribes;

15 “(v) the Quechan Indian Tribe; and

16 “(vi) the Cocopah Indian Tribe; and

17 “(B) the Advisory Council on Historic
18 Preservation.

19 “(3) RESOURCE PROTECTION.—The tribal cul-
20 tural resources management plan developed under
21 paragraph (1) shall be—

22 “(A) based on a completed tribal cultural
23 resources survey; and

24 “(B) include procedures for identifying,
25 protecting, and preserving petroglyphs, ancient

1 trails, intaglios, sleeping circles, artifacts, and
2 other resources of cultural, archaeological, or
3 historical significance in accordance with all ap-
4 plicable laws and policies, including—

5 “(i) the National Historic Preserva-
6 tion Act (16 U.S.C. 470 et seq.);

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

10 “(iii) the Archaeological Resources
11 Protection Act of 1979 (16 U.S.C. 470aa
12 et seq.);

13 “(iv) the Native American Graves
14 Protection and Repatriation Act (25
15 U.S.C. 3001 et seq.); and

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

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

24 “(1) all forms of entry, appropriation, or dis-
25 posal under the public laws;

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

3 “(3) right-of-way leasing and disposition under
4 all laws relating to mineral, solar, wind, and geo-
5 thermal energy.”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) SHORT TITLE.—Section 1 of the California
8 Desert Protection Act of 1994 (16 U.S.C. 410aaa
9 note) is amended by striking “1 and 2, and titles I
10 through IX” and inserting “1, 2, and 3, titles I
11 through IX, and titles XIII through XIX”.

12 (2) DEFINITIONS.—The California Desert Pro-
13 tection Act of 1994 (Public Law 103–433; 108 Stat.
14 4481) is amended by inserting after section 2 the
15 following:

16 **“SEC. 3. DEFINITIONS.**

17 “**In titles XIII through XIX:**

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

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

23 “(A) with respect to land under the juris-
24 diction of the Secretary of the Interior, the Sec-
25 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 (3) ADMINISTRATION OF WILDERNESS
7 AREAS.—Section 103 of the California Desert Pro-
8 tection Act of 1994 (Public Law 103–433; 108 Stat.
9 4481) is amended—

10 (A) by striking subsection (d) and insert-
11 ing the following:

12 “(d) NO BUFFER ZONES.—

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

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

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

20 “(2) NONWILDERNESS ACTIVITIES.—Any non-
21 wilderness activities (including renewable energy
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 (B) in subsection (f), by striking “des-
 8 ignated by this title and” inserting “, potential
 9 wilderness areas, special management areas,
 10 and national monuments designated by this title
 11 or titles XIII through XIX”; and

12 (C) in subsection (g), by inserting “, a po-
 13 tential wilderness area, a special management
 14 areas, or national monument” before “by this
 15 Act”.

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

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

21 “The Director of the Bureau of Land Management
 22 shall not access or process any application for a right-of-
 23 way for development projects that propose to use native
 24 groundwater from aquifers adjacent to the Mojave Na-
 25 tional Preserve that individually or collectively, in com-

1 bination with proposed or anticipated projects on private
2 land, require the use of native groundwater in excess of
3 the estimated recharge rate as determined by the United
4 States Geological Survey.”.

5 (5) AMENDMENTS TO THE CALIFORNIA MILI-
6 TARY LANDS WITHDRAWAL AND OVERFLIGHTS ACT
7 OF 1994.—

8 (A) FINDINGS.—Section 801(b)(2) of the
9 California Military Lands Withdrawal and
10 Overflights Act of 1994 (16 U.S.C. 410aaa–82
11 note) is amended by inserting “, national monu-
12 ments, special management areas, potential wil-
13 derness areas,” before “and wilderness areas”.

14 (B) OVERFLIGHTS; SPECIAL AIRSPACE.—
15 Section 802 of the California Military Lands
16 Withdrawal and Overflights Act of 1994 (16
17 U.S.C. 410aaa–82) is amended—

18 (i) in subsection (a), by inserting “,
19 national monuments, or special manage-
20 ment areas” before “designated by this
21 Act”;

22 (ii) in subsection (b), by inserting “,
23 national monuments, or special manage-
24 ment areas” before “designated by this
25 Act”; and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(d) DEPARTMENT OF DEFENSE FACILITIES.—
4 Nothing in this Act alters any authority of the Secretary
5 of Defense to conduct military operations at installations
6 and ranges within the California Desert Conservation
7 Area that are authorized under any other provision of
8 law.”.

9 **SEC. 3. DESIGNATION OF WILD AND SCENIC RIVERS.**

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

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

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

1 addition to the Amargosa Wild and Scenic
2 River.

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

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

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

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

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

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

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

7 “(209) DEEP CREEK, CALIFORNIA.—

8 “(A) IN GENERAL.—The following seg-
9 ments of Deep Creek in the State of California,
10 to be administered by the Secretary of Agri-
11 culture:

12 “(i) The approximately 6.5-mile seg-
13 ment from 0.125 mile downstream of the
14 Rainbow Dam site in sec. 33, T. 2 N., R.
15 2 W., to 0.25-miles upstream of the Road
16 3N34 crossing, as a wild river.

17 “(ii) The 0.5-mile segment from 0.25
18 mile upstream of the Road 3N34 crossing
19 to 0.25 mile downstream of the Road
20 3N34 crossing, as a scenic river.

21 “(iii) The 2.5-mile segment from 0.25
22 miles downstream of the Road 3 N. 34
23 crossing to 0.25 miles upstream of the
24 Trail 2W01 crossing, as a wild river.

1 “(iv) The 0.5-mile segment from 0.25
2 miles upstream of the Trail 2W01 crossing
3 to 0.25 mile downstream of the Trail
4 2W01 crossing, as a scenic river.

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

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

15 “(vii) The 3.5-mile segment of the
16 Holcomb Creek from 0.25 miles down-
17 stream of Holcomb Crossing to the Deep
18 Creek confluence, as a wild river.

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

21 “(i) the operations of the Snow Valley
22 Ski Resort; or

23 “(ii) the State regulation of water
24 rights and water quality associated with

1 the operation of the Snow Valley Ski Re-
2 sort.

3 “(210) WHITEWATER RIVER, CALIFORNIA.—

4 The following segments of the Whitewater River in
5 the State of California, to be administered by the
6 Secretary of Agriculture and the Secretary of the In-
7 terior, acting jointly:

8 “(A) The 5.8-mile segment of the North
9 Fork Whitewater River from the source of the
10 River near Mt. San Gorgonio to the confluence
11 with the Middle Fork, as a wild river.

12 “(B) The 6.4-mile segment of the Middle
13 Fork Whitewater River from the source of the
14 River to the confluence with the South Fork, as
15 a wild river.

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

21 “(D) The 1-mile segment of the South
22 Fork Whitewater River from the section line be-
23 tween sections 32 and 33, T. 1 S., R. 2 E., to
24 the section line between sections 33 and 34, T.
25 1 S., R. 2 E., as a recreational river.

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

6 “(F) The 5.4-mile segment of the main
7 stem of the Whitewater River from the con-
8 fluence of the South and Middle Forks to the
9 San Gorgonio Wilderness boundary, as a wild
10 river.

11 “(G) The 2.7-mile segment of the main
12 stem of the Whitewater River from the San
13 Gorgonio Wilderness boundary to the southern
14 boundary of section 26, T. 2 S., R. 3 E., as a
15 recreational river.”.

