

113TH CONGRESS
1ST SESSION

H. R. 1676

To designate the Johnson Valley National Off-Highway Vehicle Recreation Area in San Bernardino County, California, to authorize limited military use of the area, to provide for the transfer of the Southern Study Area to the administrative jurisdiction of the Secretary of the Navy for inclusion in the Marine Corps Air Ground Combat Center Twentynine Palms, and by recreational users, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2013

Mr. COOK (for himself and Mr. McKEON) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To designate the Johnson Valley National Off-Highway Vehicle Recreation Area in San Bernardino County, California, to authorize limited military use of the area, to provide for the transfer of the Southern Study Area to the administrative jurisdiction of the Secretary of the Navy for inclusion in the Marine Corps Air Ground Combat Center Twentynine Palms, and by recreational users, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Johnson Valley Na-
3 tional Off-Highway Vehicle Recreation Area Establish-
4 ment Act”.

5 **SEC. 2. DESIGNATION OF JOHNSON VALLEY NATIONAL**
6 **OFF-HIGHWAY VEHICLE RECREATION AREA.**

7 (a) DESIGNATION.—The approximately 188,000
8 acres of public land and interests in land administered by
9 the Secretary of the Interior through the Bureau of Land
10 Management in San Bernardino County, California, as
11 generally depicted as the “Johnson Valley Off-Highway
12 Vehicle Recreation Area” on the map titled “Johnson Val-
13 ley National Off-Highway Vehicle Recreation Area and
14 Transfer of the Southern Study Area” and dated April
15 11, 2013, are hereby designated as the “Johnson Valley
16 National Off-Highway Vehicle Recreation Area”.

17 (b) RECREATIONAL AND CONSERVATION USE.—The
18 Johnson Valley National Off-Highway Vehicle Recreation
19 Area is designated for the following purposes:

20 (1) Public recreation (including off-highway ve-
21 hicle use, camping, and hiking) when the lands are
22 not used for military training as authorized by sec-
23 tion 3.

24 (2) Natural resources conservation.

25 (c) WITHDRAWAL.—The public land and interests in
26 land included in the Johnson Valley National Off-Highway

1 Vehicle Recreation Area are hereby withdrawn from all
2 forms of appropriation under the public land laws, includ-
3 ing the mining laws and the mineral leasing and geo-
4 thermal leasing laws.

5 (d) TREATMENT OF EXISTING RIGHTS.—The des-
6 ignation of the Johnson Valley National Off-Highway Ve-
7 hicle Recreation Area and the withdrawal of the public
8 land and interests in land included in the Recreation Area
9 are subject to valid existing rights.

10 **SEC. 3. LIMITED BIENNIAL MARINE CORPS AIR GROUND**
11 **COMBAT CENTER TWENTYNINE PALMS USE**
12 **OF JOHNSON VALLEY NATIONAL OFF-HIGH-**
13 **WAY VEHICLE RECREATION AREA.**

14 (a) USE FOR MILITARY PURPOSES AUTHORIZED.—
15 Subject to subsection (b), the Secretary of the Interior
16 shall authorize the Secretary of the Navy to utilize por-
17 tions of Johnson Valley National Off-Highway Vehicle
18 Recreation Area twice in each calendar year for up to a
19 total of 42 days per year for the following purposes:

20 (1) Sustained, combined arms, live-fire, and
21 maneuver field training for large-scale Marine air-
22 ground task forces.

23 (2) Individual and unit live-fire training ranges.

24 (3) Equipment and tactics development.

1 (4) Other defense-related purposes consistent
2 with the purposes specified in the preceding para-
3 graphs.

4 (b) CONDITIONS ON MILITARY USE.—

5 (1) CONSULTATION AND PUBLIC PARTICIPATION
6 REQUIREMENTS.—Before the Secretary of the Navy
7 requests the two time periods for military use of the
8 Johnson Valley National Off-Highway Vehicle
9 Recreation Area in a calendar year, the Secretary of
10 the Navy shall—

11 (A) consult with the Secretary of the Inte-
12 rior regarding the best times for military use to
13 reduce interference with or interruption of non-
14 military activities authorized by section 2(b);
15 and

16 (B) provide for public awareness of and
17 participation in the selection process.

18 (2) PUBLIC NOTICE.—The Secretary of the
19 Navy shall provide advance, wide-spread notice be-
20 fore any closure of public lands for military use
21 under this section.

22 (3) PUBLIC SAFETY.—Military use of the John-
23 son Valley National Off-Highway Vehicle Recreation
24 Area during the biannual periods authorized by sub-
25 section (a) shall be conducted in the presence of suf-

1 ficient range safety officers to ensure the safety of
2 military personnel and civilians.

3 (4) CERTAIN TYPES OF ORDNANCE PROHIB-
4 ITED.—The Secretary of the Navy shall prohibit the
5 use of dud-producing ordnance in any military train-
6 ing conducted under subsection (a).

7 (c) IMPLEMENTING AGREEMENT.—

8 (1) AGREEMENT REQUIRED; REQUIRED
9 TERMS.—The Secretary of the Interior and the Sec-
10 retary of the Navy shall enter into a written agree-
11 ment to implement this section. The agreement shall
12 include a provision for periodic review of the agree-
13 ment for its adequacy, effectiveness, and need for re-
14 vision.

15 (2) ADDITIONAL TERMS.—The agreement may
16 provide for—

17 (A) the integration of the management
18 plans of the Secretary of the Interior and the
19 Secretary of the Navy;

20 (B) delegation to civilian law enforcement
21 personnel of the Department of the Navy of the
22 authority of the Secretary of the Interior to en-
23 force the laws relating to protection of natural
24 and cultural resources and of fish and wildlife;
25 and

1 (C) the sharing of resources in order to
2 most efficiently and effectively manage the
3 lands.

4 (d) DURATION.—Any agreement for the military use
5 of the Johnson Valley National Off-Highway Vehicle
6 Recreation Area shall terminate not later than March 31,
7 2039.

8 **SEC. 4. TRANSFER OF ADMINISTRATIVE JURISDICTION,**
9 **SOUTHERN STUDY AREA, MARINE CORPS AIR**
10 **GROUND COMBAT CENTER TWENTYNINE**
11 **PALMS, CALIFORNIA.**

12 (a) TRANSFER REQUIRED.—Not later than Sep-
13 tember 30, 2014, the Secretary of the Interior shall trans-
14 fer, without reimbursement, to the administrative jurisdic-
15 tion of the Secretary of the Navy certain public land ad-
16 ministered by the Bureau of Land Management consisting
17 of approximately 20,000 acres in San Bernardino County,
18 California, as generally depicted as the “Southern Study
19 Area” on the map referred to in section 2.

20 (b) USE OF TRANSFERRED LAND.—Upon the receipt
21 of the land under subsection (a), the Secretary of the Navy
22 shall include the land as part of the Marine Corps Air
23 Ground Combat Center Twentynine Palms, California,
24 and authorize use of the land for military purposes.

25 (c) LEGAL DESCRIPTION.—

1 (1) PREPARATION AND PUBLICATION.—The
2 Secretary of the Interior shall publish in the Federal
3 Register a legal description of the public land to be
4 transferred under subsection (a).

5 (2) FORCE OF LAW.—The legal description filed
6 under paragraph (1) shall have the same force and
7 effect as if included in this Act, except that the Sec-
8 retary of the Interior may correct clerical and typo-
9 graphical errors in the legal description.

10 (d) REIMBURSEMENT OF COSTS.—The Secretary of
11 the Navy shall reimburse the Secretary of the Interior for
12 any costs incurred by the Secretary of the Interior to carry
13 out this section.

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