To promote economic development and to preserve the Lake Mead Area in Clark County, Nevada, in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2013

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

A BILL

To promote economic development and to preserve the Lake Mead Area in Clark County, Nevada, in order to conserve, protect, and enhance the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the area, to designate wilderness areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Virgin Valley Tourism and Lake Mead Preservation Act”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—TOURISM PROMOTION AND ECONOMIC DEVELOPMENT

Sec. 101. Findings.
Sec. 102. Visitor center, research, and interpretation.
Sec. 103. Local consultation on energy development.
Sec. 104. Local airport development extension and multi-species habitat conservation plan.
Sec. 105. Lake Mead tourism access.
Sec. 106. Clark County off-road vehicle trail designation.

TITLE II—GOLD BUTTE NATIONAL CONSERVATION AREA

Sec. 201. Establishment of Gold Butte National Conservation Area.
Sec. 203. General provisions.
Sec. 204. Virgin Valley water district.

TITLE III—DESIGNATION OF WILDERNESS AREAS IN CLARK COUNTY, NEVADA

Sec. 301. Additions to National Wilderness Preservation System.
Sec. 302. Administration.
Sec. 303. Adjacent management.
Sec. 304. Military, law enforcement, and emergency overflights.
Sec. 305. Release of wilderness study areas.
Sec. 306. Native American cultural and religious uses.
Sec. 307. Wildlife, wildfire, insect, and disease management; data collection.
Sec. 308. National Park System land.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Termination of withdrawal of Bureau of Land Management land.
Sec. 402. Relationship to Clark Count Multi-Species Habitat Conservation Plan.
Sec. 403. Motorized vehicles.
SEC. 2. FINDINGS.

Congress finds that—

(1) the public land north of Lake Mead, in southeastern Nevada generally known as “Gold Butte” is recognized for outstanding—

(A) scenic values;

(B) natural resources, including critical habitat, sensitive species, wildlife, desert tortoise habitat, and geology;

(C) historic resources, including historic mining, ranching and other western cultures, and pioneer activities; and

(D) cultural resources, including evidence of prehistoric habitation and rock art;

(2) Lake Mead and Gold Butte have become a destination for diverse recreation opportunities, including camping, hiking, hunting, fishing, motorized recreation, and sightseeing;

(3) Lake Mead and Gold Butte draw visitors from throughout the United States;

(4) Lake Mead and Gold Butte provide important economic benefits to Mesquite and other nearby communities;

(5) inclusion of the Gold Butte National Conservation Area in the National Landscape Conserva-
tion System would provide increased opportunities for—

(A) interpretation of the diverse values of the area for the visiting public; and

(B) education and community outreach in the region; and

(6) designation of Gold Butte as a National Conservation Area will permanently protect the scenic, biological, natural, historical, scientific, paleontological, recreational, ecological, wilderness, and cultural resources within the area.

SEC. 3. DEFINITIONS.
In this Act:

(1) ADVISORY COUNCIL.—The term “Advisory Council” means the Gold Butte National Conservation Area Advisory Council established under title II.

(2) CONSERVATION AREA.—The term “Conservation Area” means the Gold Butte National Conservation Area established by title II.

(3) COUNTY.—The term “County” means Clark County, Nevada.

(4) DESIGNATED ROUTE.—The term “designated route” means a road that is designated as open by the Route Designations for Selected Areas of Critical Environmental Concern Located in the

(5) **Virgin Valley Tourism and Economic Advisory Council.**—The term “Virgin Valley Tourism and Economic Advisory Council” has the meaning designated by section 107.

(6) **Management Plan.**—The term “management plan” means the management plan for the Conservation Area developed under title II.

(7) **Map.**—The term “Map” means the map entitled “Gold Butte National Conservation Area” and dated May 23, 2013.

(8) **Public Land.**—The term “public land” has the meaning given the term “public lands” in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

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

(10) **State.**—The term “State” means the State of Nevada.

(11) **Wilderness Area.**—The term “wilderness area” means a wilderness areas designated by title III.
TITLE I—TOURISM PROMOTION
AND ECONOMIC DEVELOPMENT

SEC. 101. FINDINGS.

Congress finds that—

(1) the management of Federal lands has been shown to be more effective when local stakeholders are regularly consulted to enhance the understanding of unique concerns and opportunities;

(2) the Lake Mead and Gold Butte areas are rich in cultural, archaeological, natural, historical, and scenic resources;

(3) the communities adjacent to the Gold Butte National Conservation Area should be able to enjoy recreational access to the region, while preserving the natural beauty and resources of the region;

(4) the Lake Mead and Gold Butte regions possess significant economic potential;

(5) the outdoor recreation industry directly impacts Nevada’s economy, bolstering it annually by $14.9 billion in consumer spending and 148,000 jobs; and

(6) the economic benefits of protected lands include higher growth in investment income and entrepreneurial activity, and an increase in local tourism
and new residents seeking the quality of life pro-
vided by Federal lands protections.

SEC. 102. VISITOR CENTER, RESEARCH, AND INTERPRETA-
TION.

(a) IN GENERAL.—The Secretary, acting through the
Director of the Bureau of Land Management, may estab-
lish, in cooperation with any other public or private enti-
ties that the Secretary may determine to be appropriate,
a visitor center and field office in Mesquite, Nevada—

(1) to serve visitors; and

(2) to assist in fulfilling the purposes of—

(A) the Lake Mead National Recreation
Area;

(B) the Grand Canyon-Parashant National
Monument; and

(C) the Conservation Area.

(b) REQUIREMENTS.—The Secretary shall ensure
that the visitor center authorized under subsection (a) is
designed—

(1) to interpret the scenic, biological, natural,
historical, scientific, paleontological, recreational, ec-
ological, wilderness, and cultural resource of each of
the areas described in that subsection; and

(2) to serve as an interagency field office for
each of the areas described in that subsection.
(c) Cooperative Agreements.—The Secretary may, in a manner consistent with this Act, enter into cooperative agreements with the State, the State of Arizona, and any other appropriate institutions and organizations to carry out the purposes of this section.

SEC. 103. LOCAL CONSULTATION ON ENERGY DEVELOPMENT.

As soon as practicable, but not later than 2 years, after the date of the enactment of this title, the Secretary, in cooperation with the Virgin Valley Tourism and Economic Advisory Council and any other public or private entities that the Secretary may determine to be appropriate, shall complete a study regarding local renewable energy development in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973, and the Clark County Multi-Species Habitat Conservation Plan.

SEC. 104. LOCAL AIRPORT DEVELOPMENT EXTENSION AND MULTI-SPECIES HABITAT CONSERVATION PLAN.

(a) Extension of Purchase Authority and Withdrawals.—Section 3 of Public Law 99–548 (100 Stat. 3061, 113 Stat. 1501A–166) is amended—

(1) in subsection (e)—
(A) in paragraph (1)(A), by striking “For a period of 12 years after the date of the enactment of this Act” and inserting “Until November 29, 2021”;

(B) in paragraph (3), by striking “Not later than 10 years after the date of the enactment of this subsection” and inserting “Not later than November 29, 2021”; and

(C) in paragraph (5), by striking “the date that is 12 years after the date of the enactment of this subsection” and inserting “November 29, 2021”; and

(2) in subsection (f)(3), by striking “the date that is 12 years after the date of the enactment of this subsection” and inserting “November 29, 2021”.

(b) IMPLEMENTATION OF MULTI-SPECIES HABITAT CONSERVATION PLANS.—Section 3(d)(3)(B) of Public Law 99–548 (100 Stat. 3061, 116 Stat. 2018) is amended by inserting “and implementation” after “development”.

SEC. 105. LAKE MEAD TOURISM ACCESS.

Not later than 2 years after the date of the enactment of this Act, the Secretary, in consultation with the Virgin Valley Tourism and Economic Advisory Council, as defined in section 107 of this Act, shall implement a plan
to provide local boat access to Lake Mead, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973, and the Clark County Multi-Species Habitat Conservation Plan.

SEC. 106. CLARK COUNTY OFF-ROAD VEHICLE TRAIL DESIGNATION.

(a) Study.—

(1) In general.—Not later than 2 years after the enactment of this Act, the Secretary shall complete a study with a focus on existing, designated routes outside the National Conservation Area established by this Act in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973, and the Clark County Multi-Species Habitat Conservation Plan for an Off-Highway Vehicle Trail (referred to in this section as the “Trail”).

(2) Preferred route.—Based on the study conducted under paragraph (1), the Secretary, in consultation with the Virgin Valley Tourism and Economic Advisory Council, as defined in section 3 of this Act, and any interested persons, shall identify the preferred route for the Trail.

(b) Designation of Trail.—
1. **In General.**—Subject to paragraph (2), not later than 1 year after the date on which the study is completed under subsection (a), the Secretary may designate a Trail.

2. **Limitations.**—The Secretary may designate a Trail after determining a route for the Trail that would not have significant negative impacts on wildlife, natural or cultural resources, or traditional uses.

**Sec. 107. Virgin Valley Tourism and Economic Advisory Council.**

(a) **Establishment.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish an advisory council, to be known as the “Virgin Valley Tourism and Economic Advisory Council”.

(b) **Applicable Law.**—The Virgin Valley Tourism and Economic Advisory Council shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(c) **Members.**—

(1) **In General.**—The Virgin Valley Tourism and Economic Advisory Council shall include 13 members to be appointed by the Secretary, of whom, to the extent practicable—
(A) 4 members shall be appointed after considering the recommendations of the Mesquite, Nevada, City Council;

(B) 1 member shall be appointed after considering the recommendations of the Bunkerville, Nevada, Town Advisory Board;

(C) 1 member shall be appointed after considering the recommendations of the Moapa Valley, Nevada, Town Advisory Board;

(D) 1 member shall be appointed after considering the recommendations of the Moapa, Nevada, Town Advisory Board;

(E) 1 member shall be appointed after considering the recommendations of the Moapa Band of Paiutes Tribal Council; and

(F) 5 at-large members from the County shall be appointed after considering the recommendations of the County Commission.

(2) REPRESENTATION.—The Secretary shall ensure that the membership of the Virgin Valley Tourism and Economic Advisory Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Virgin Valley Tourism and Economic Advisory Council.
(3) Initial Appointment.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall appoint the initial members of the Virgin Valley Tourism and Economic Advisory Council in accordance with paragraph (1).

(d) Duties of the Virgin Valley Tourism and Economic Advisory Council.—The Virgin Valley Tourism and Economic Advisory Council shall advise the Secretary with respect to the preparation and implementation of economic development initiatives.

(e) Compensation.—Members of the Virgin Valley Tourism and Economic Advisory Council shall receive no compensation for serving on the Council.

(f) Chairperson.—

(1) In General.—The Virgin Valley Tourism and Economic Advisory Council shall elect a Chairperson from among its members.

(2) Term.—The term of the Chairperson shall be 3 years.

(g) Term of Members.—

(1) In General.—The term of a member of the Virgin Valley Tourism and Economic Advisory Council shall be 3 years.

(2) Successors.—Notwithstanding the expiration of a 3-year term of a member of the Virgin Val-
ley Tourism and Economic Advisory Council, a member may continue to serve on the Virgin Valley Tourism and Economic Advisory Council until a successor is appointed.

(h) Vacancies.—

(1) In general.—A vacancy on the Virgin Valley Tourism and Economic Advisory Council shall be filled in the same manner in which the original appointment was made.

(2) Appointment for remainder of term.—A member appointed to fill a vacancy on the Virgin Valley Tourism and Economic Advisory Council shall serve for the remainder of the term for which the predecessor was appointed.

TITLE II—GOLD BUTTE NATIONAL CONSERVATION AREA

SEC. 201. ESTABLISHMENT OF GOLD BUTTE NATIONAL CONSERVATION AREA.

(a) Establishment.—There is established the Gold Butte National Conservation Area in the State.

(b) Area included.—The Conservation Area shall consist of approximately 348,515 acres of public land administered by the Bureau of Land Management in the County, as generally depicted on the Map.

(c) Map and legal description.—
(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file a map and legal description of the Conservation Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

SEC. 202. MANAGEMENT OF CONSERVATION AREA.

(a) PURPOSES.—In accordance with this title, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable laws, the Secretary shall manage the Conservation Area in a manner that conserves, protects, and enhances the scenic, biological, natural, historical, scientific, paleontological, rec-
reational, ecological, wilderness, and cultural resources of
the Conservation Area.

(b) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Not later than 3 years
after the date of the enactment of this Act, the Sec-
retary shall develop a management plan for the long-
term protection and management of the Conserva-
tion Area.

(2) CONSULTATION.—The Secretary shall pre-
pare the management plan in consultation with the
State, local and tribal government entities, the Advi-
sory Council, and the public.

(3) REQUIREMENTS.—The management plan
shall—

(A) describe the appropriate uses and
management of the Conservation Area; and

(B) include a recommendation on interpret-
tive and educational materials regarding the
cultural and biological resources of the region
within which the Conservation Area is located.

(4) INCORPORATION OF ROUTE DESIGNA-
nations.—The management plan shall incorporate the
decisions in the Route Designations for Selected
Areas of Critical Environmental Concern Located in
the Northeast Portion of the Las Vegas BLM Dis-

(c) Uses.—The Secretary shall allow only such uses of the Conservation Area that the Secretary determines would further the purpose of the Conservation Area described in subsection (a).

(d) Incorporation of Acquired Land and Interests.—Any land or interests in land located within the boundary of the Conservation Area that is acquired by the United States after the date of the enactment of this Act shall become part of the Conservation Area and be managed as provided in subsection (a).

(e) National Landscape Conservation System.—The Conservation Area shall be administered as a component of the National Landscape Conservation System.

(f) Hunting, Fishing, and Trapping.—Nothing in this title affects the jurisdiction of the State with respect to fish and wildlife, including hunting, fishing, and trapping in the Conservation Area.

SEC. 203. GENERAL PROVISIONS.

(a) No Buffer Zones.—

(1) In general.—The establishment of the Conservation Area shall not create an express or im-
plied protective perimeter or buffer zone around the Conservation Area.

(2) PRIVATE LAND.—If the use of, or conduct of an activity on, private land that shares a boundary with the Conservation Area is consistent with applicable law, nothing in this title concerning the establishment of the Conservation Area prohibits or limits the use or conduct of the activity.

(b) WITHDRAWALS.—Subject to valid existing rights, all public land within the Conservation Area, including any land or interest in land that is acquired by the United States within the Conservation Area after the date of the enactment of this Act, is withdrawn from—

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

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

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

(c) SPECIAL MANAGEMENT AREAS.—

(1) IN GENERAL.—The establishment of the Conservation Area shall not affect the management status of any area within the boundary of the Conservation Area that is protected under the Clark County Multi-Species Habitat Conservation Plan.
(2) CONFLICT OF LAWS.—If there is a conflict between the laws applicable to an area described in paragraph (1) and this title, the more restrictive provision shall control.

SEC. 204. VIRGIN VALLEY WATER DISTRICT.

Notwithstanding any other provisions of law, the Secretary shall manage the area to allow continued and reasonable use and access by the Virgin Valley Water District, including use of motorized vehicles and equipment, within its rights-of-way, to access, monitor, maintain, and operate water diversions, facilities, and improvements facilitating lawful beneficial use of its existing and future water rights appropriated under applicable State law.

SEC. 205. GOLD BUTTE NATIONAL CONSERVATION AREA ADVISORY COUNCIL.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish an advisory council, to be known as the “Gold Butte National Conservation Area Advisory Council”.

(b) DUTIES.—The Advisory Council shall advise the Secretary with respect to the preparation and implementation of the management plan.

(e) APPLICABLE LAW.—The Advisory Council shall be subject to—
(1) the Federal Advisory Committee Act (5 U.S.C. App.); and
(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(d) MEMBERS.—

(1) IN GENERAL.—The Advisory Council shall include 13 members to be appointed by the Secretary, of whom, to the extent practicable—

(A) 4 members shall be appointed after considering the recommendations of the Mesquite, Nevada, City Council;

(B) 1 member shall be appointed after considering the recommendations of the Bunkerville, Nevada, Town Advisory Board;

(C) 1 member shall be appointed after considering the recommendations of the Moapa Valley, Nevada, Town Advisory Board;

(D) 1 member shall be appointed after considering the recommendations of the Moapa, Nevada, Town Advisory Board;

(E) 1 member shall be appointed after considering the recommendations of the Moapa Band of Paiutes Tribal Council; and
(F) 5 at-large members from the County shall be appointed after considering the recommendations of the County Commission.

(2) Special Appointment Considerations.—The at-large members appointed under paragraph (1)(F) shall have backgrounds that reflect—

(A) the purposes for which the Conservation Area was established; and

(B) the interests of persons affected by the planning and management of the Conservation Area.

(3) Representation.—The Secretary shall ensure that the membership of the Advisory Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Advisory Council.

(4) Initial Appointment.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall appoint the initial members of the Advisory Council in accordance with paragraph (1).

(e) Duties of the Advisory Council.—The Advisory Council shall advise the Secretary with respect to the preparation and implementation of the management plan,
including budgetary matters relating to the Conservation Area.

(f) COMPENSATION.—Members of the Advisory Council shall receive no compensation for serving on the Advisory Council.

(g) CHAIRPERSON.—

(1) IN GENERAL.—The Advisory Council shall elect a Chairperson from among the members of the Advisory Council.

(2) TERM.—The term of the Chairperson shall be 3 years.

(h) TERM OF MEMBERS.—

(1) IN GENERAL.—The term of a member of the Advisory Council shall be 3 years.

(2) SUCCESSORS.—Notwithstanding the expiration of a 3-year term of a member of the Advisory Council, a member may continue to serve on the Advisory Council until a successor is appointed.

(i) VACANCIES.—

(1) IN GENERAL.—A vacancy on the Advisory Council shall be filled in the same manner in which the original appointment was made.

(2) APPOINTMENT FOR REMAINDER OF TERM.—A member appointed to fill a vacancy on the
Advisory Council shall serve for the remainder of the
term for which the predecessor was appointed.

(j) TERMINATION.—The Advisory Council shall termi-
minate not later than 3 years after the date on which the
final version of the management plan is published.

TITLE III—DESIGNATION OF
WILDERNESS AREAS IN
CLARK COUNTY, NEVADA

SEC. 301. ADDITIONS TO NATIONAL WILDERNESS PRESER-
VATION SYSTEM.

(a) ADDITIONS.—In furtherance of the Wilderness
Act (16 U.S.C. 1131 et seq.), the following public land
administered by the National Park Service or the Bureau
of Land Management in the County is designated as wil-
derness and as components of the National Wilderness
Preservation System:

(1) VIRGIN PEAK WILDERNESS.—Certain public
land managed by the Bureau of Land Management,
comprising approximately 18,296 acres, as generally
depicted on the Map, which shall be known as the
“Virgin Peak Wilderness”.

(2) BLACK RIDGE WILDERNESS.—Certain pub-
lic land managed by the Bureau of Land Manage-
ment, comprising approximately 18,192 acres, as
generally depicted on the Map, which shall be known as the “Black Ridge Wilderness”.

(3) Bitter Ridge North Wilderness.—Certain public land managed by the Bureau of Land Management comprising approximately 15,114 acres, as generally depicted on the Map, which shall be known as the “Bitter Ridge North Wilderness”.

(4) Bitter Ridge South Wilderness.—Certain public land managed by the Bureau of Land Management, comprising approximately 12,646 acres, as generally depicted on the Map, which shall be known as the “Bitter Ridge Wilderness”.

(5) Billy Goat Peak Wilderness.—Certain public land managed by the Bureau of Land Management, comprising approximately 30,460 acres, as generally depicted on the Map, which shall be known as the “Billy Goat Peak Wilderness”.

(6) Million Hills Wilderness.—Certain public land managed by the Bureau of Land Management, comprising approximately 24,818 acres, as generally depicted on the Map, which shall be known as the “Million Hills Wilderness”.

(7) Lake Mead Wilderness.—Certain public land within the Lake Mead National Recreation Area, comprising approximately 102,032 acres, as
generally depicted on the Map, which shall be known as the “Lake Mead Wilderness”.

(b) National Landscape Conservation System.—The wilderness areas administered by the Bureau of Land Management shall be administered as components of the National Landscape Conservation System.

(c) Road Offset.—The boundary of any portion of a wilderness area that is bordered by a road shall be at least 100 feet away from the centerline of the road so as not to interfere with public access.

(d) Lake Offset.—The boundary of any portion of a wilderness area that is bordered by Lake Mead or the Colorado River shall be 300 feet inland from the high water line.

(e) Map and Legal Description.—

(1) In general.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file a map and legal description of each wilderness area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) Effect.—Each map and legal description under paragraph (1) shall have the same force and effect as if included in this title, except that the Sec-
.......

Secretary may correct clerical and typographical errors in the map or legal description.

(3) **AVAILABILITY.**—Each map and legal description under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

SEC. 302. ADMINISTRATION.

(a) **MANAGEMENT.**—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of the enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) **INCORPORATION OF ACQUIRED LAND AND INTERESTS.**—Any land or interest in land within the boundaries of a wilderness area that is acquired by the United States after the date of the enactment of this Act shall be added to, and administered as part of, the wilderness area within which the acquired land or interest is located.

(c) **WATER RIGHTS.**—
(1) FINDINGS.—Congress finds that—

(A) the land designated as a wilderness area—

(i) is within the Mojave Desert;

(ii) is arid in nature; and

(iii) includes ephemeral streams;

(B) the hydrology of the land designated as a wilderness area is locally characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region within which the land designated as a wilderness area is located is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the land designated as a wilderness area is generally not suitable for use or development of new water resource facilities;

(E) there are no actual or proposed water resource facilities and no opportunities for diversion, storage, or other uses of water occurring outside the land designated as a wilderness area that would adversely affect the wilderness or other values of the land; and
(F) because of the unique nature and hydrology of the desert land designated as a wilderness area and the existence of the Clark County Multi-Species Habitat Conservation Plan, it is possible to provide for proper management and protection of the wilderness, perennial springs, and other values of the land in ways different than the methods used in other laws.

(2) Statutory construction.—

(A) No reservation.—Nothing in this title constitutes an express or implied reservation by the United States of any water or water rights with respect to the land designated as a wilderness area.

(B) State rights.—Nothing in this title affects any water rights in the State existing on the date of the enactment of this Act, including any water rights held by the United States.

(C) No precedent.—Nothing in this subsection establishes a precedent with regard to any future wilderness designations.

(D) No effect on compacts.—Nothing in this title limits, alters, modifies, or amends any of the interstate compacts or equitable ap-
portionment decrees that apportion water among and between the State and other States.

(3) Nevada Water Law.—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of the enactment of this Act with respect to the land designated as a wilderness area.

(4) New Projects.—

(A) Definition.—

(i) In general.—In this paragraph, the term “water resource facility” means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydroelectric projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(ii) Exclusion.—In this paragraph, the term “water resource facility” does not include wildlife guzzlers.

(B) No Licenses or Permits.—Except as otherwise provided in this title, on and after the date of the enactment of this Act, neither the President nor any other officer, employee,
or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the land designated as a wilderness area.

(d) WITHDRAWAL.—Subject to valid existing rights, any Federal land within the wilderness areas, including any land or interest in land that is acquired by the United States within the Conservation Area after the date of the enactment of this Act, is withdrawn from—

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

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

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

SEC. 303. ADJACENT MANAGEMENT.

(a) No Buffer Zones.—Congress does not intend for the designation of land as wilderness areas to lead to the creation of protective perimeters or buffer zones around the wilderness areas.

(b) Nonwilderness Activities.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness area shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.
SEC. 304. MILITARY, LAW ENFORCEMENT, AND EMERGENCY OVERFLIGHTS.

Nothing in this Act restricts or precludes—

(1) low-level overflights of military, law enforce-
ment, or emergency medical services aircraft over
the area designated as wilderness by this Act, in-
cluding military, law enforcement, or emergency
medical services overflights that can be seen or
heard within the wilderness area;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of
special use airspace, or the establishment of military,
law enforcement, or emergency medical services
flight training routes, over the wilderness area.

SEC. 305. RELEASE OF WILDERNESS STUDY AREAS.

(a) FINDING.—Congress finds that, for the purposes
of section 603 of the Federal Land Policy and Manage-
ment Act of 1976 (43 U.S.C. 1782), the Bureau of Land
Management land in any portion of the wilderness study
areas located within the Conservation Area not designated
as a wilderness area has been adequately studied for wil-
derness designation.

(b) RELEASE.—Any Bureau of Land Management
land described in subsection (a) that is not designated as
a wilderness area—

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

(2) shall be managed in accordance with—

   (A) the land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

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

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

SEC. 306. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this title diminishes—

(1) the rights of any Indian tribe; or

(2) tribal rights regarding access to Federal land for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

SEC. 307. WILDLIFE, WILDFIRE, INSECT, AND DISEASE MANAGEMENT; DATA COLLECTION.

(a) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this title affects or diminishes the jurisdiction of the State with respect to fish and wildlife management,
including the regulation of hunting, fishing, and trapping, in the wilderness areas.

(b) MANAGEMENT ACTIVITIES.—

(1) IN GENERAL.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), management activities to maintain or restore fish and wildlife populations and the habitats to support the populations may be carried out within the wilderness areas, if the activities—

(A) are consistent with relevant wilderness management plans; and

(B) are carried out in accordance with appropriate policies, such as those set forth in Appendix B of House Report 101–405.

(2) USE OF MOTORIZED VEHICLES.—The management activities under paragraph (1) may include the occasional and temporary use of motorized vehicles, if the use, as determined by the Secretary, would—

(A) promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values; and
(B) accomplish the purposes described in
subparagraph (A) with the minimum impact
necessary to reasonably accomplish the task.

(c) EXISTING ACTIVITIES.—Consistent with section
4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and
in accordance with appropriate policies such as those set
forth in Appendix B of House Report 101–405, the State
may continue to use aircraft (including helicopters) to sur-
vey, capture, transplant, monitor, and provide water for
wildlife populations, including bighorn sheep, and feral
stock, horses, and burros.

(d) WILDLIFE WATER DEVELOPMENT PROJECTS.—
Subject to subsection (f), the Secretary shall authorize
structures and facilities, including existing structures and
facilities, for wildlife water development projects, including
guzzlers, in the wilderness areas if—

(1) the structures and facilities will, as deter-
mined by the Secretary, enhance wilderness values
by promoting healthy, viable and more naturally dis-
tributed wildlife populations; and

(2) the visual impacts of the structures and fa-
cilities on the wilderness areas can reasonably be
minimized.

(e) HUNTING, FISHING, AND TRAPPING.—
1. **In General.**—The Secretary may designate, by regulation, areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas.

2. **Consultation.**—Except in emergencies, the Secretary shall consult with the appropriate State agency before promulgating regulations under paragraph (1).

3. **Cooperative Agreement.**—The State, including a designee of the State, may conduct wildlife management activities in the wilderness areas—

   - (1) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State entitled “Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9” and signed November and December 2003, including any amendments to the cooperative agreement agreed to by the Secretary and the State; and
   - (2) subject to all applicable laws (including regulations).
(g) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—

(1) IN GENERAL.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in each wilderness area as the Secretary determines to be necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(2) EFFECT.—Nothing in this Act precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)).

(h) DATA COLLECTION.—Subject to such terms and conditions as the Secretary may require, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.
SEC. 308. NATIONAL PARK SYSTEM LAND.

To the extent any of the provisions of this title are in conflict with laws (including regulations) or management policies applicable to Federal land within the Lake Mead National Recreation Area designated as a wilderness area, the laws (including regulations) or policies shall control.

TITLE IV—GENERAL PROVISIONS

SEC. 401. TERMINATION OF WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND.

(a) Termination of Withdrawal.—The withdrawal of the parcels of Bureau of Land Management land described in subsection (b) for use by the Bureau of Reclamation is terminated.

(b) Description of Land.—The parcels of land referred to in subsection (a) consist of the Bureau of Land Management land identified on the Map as “Transfer from BOR to BLM”.

(c) Map and Legal Description.—

(1) In general.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the land reverting to the Bureau of Land Management under subsection (a).
(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the Map; or

(B) the legal description.

(3) AVAILABILITY.—The Map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Bureau of Reclamation.

SEC. 402. RELATIONSHIP TO CLARK COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN.

(a) AMENDMENT TO PLAN.—The Secretary shall credit, on an acre-for-acre basis, approximately 124,000 acres of multiple use lands being conserved under this Act toward the development of additional non-Federal land within the County through an amendment to the Clark County Multi-Species Habitat Conservation Plan.

(b) CONSERVATION MANAGEMENT AREAS.—The Secretary shall credit the Conservation Area and the wilderness areas as Conservation Management Areas, as may be required by the Clark County Multi-Species Habitat Conservation Plan (including amendments to the plan).

(c) CONSERVATION MANAGEMENT AREAS.—Nothing in this Act otherwise limits, alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan with respect to the Conservation Area and the wilder-
(d) MANAGEMENT PLAN.—In developing the management plan, to the extent consistent with this section, the Secretary may incorporate any provision of the Clark County Multi-Species Habitat Conservation Plan.

SEC. 403. MOTORIZED VEHICLES.

(a) IN GENERAL.—The use of motorized vehicles shall be permitted on designated routes.

(b) EXCEPTIONS.—In cases which motorized vehicles are required to respond to an emergency, or for administrative purposes, the use of vehicles shall be permitted beyond designated routes.

(c) NOTICE.—The Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily closed through—

(1) use of appropriate signage within the Conservation Area; and

(2) the distribution of maps, safety education materials, law enforcement, and other information considered to be appropriate by the Secretary.

(d) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this section
(e) MAP ON FILE.—The Secretary shall keep a current map on file at the appropriate offices of the Bureau of Land Management.