

## **White Pine County Conservation, Recreation, and Development Act of 2006**

[Title III of division C of Public Law 109–432]

[As Amended Through P.L. 116–9, Enacted March 12, 2019]

【Currency: This publication is a compilation of the text of Public Law 109–432. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To amend the Internal Revenue Code of 1986 to extend expiring provisions, and for other purposes.

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

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## **DIVISION C—OTHER PROVISIONS**

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## **TITLE III—WHITE PINE COUNTY CON- SERVATION, RECREATION, AND DE- VELOPMENT**

### **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

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

### **SEC. 302. [16 U.S.C. 1241 note] SHORT TITLE**

This title may be cited as the “White Pine County Conservation, Recreation, and Development Act of 2006”.

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## **Subtitle A—Land Disposal**

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**SEC. 312. DISPOSITION OF PROCEEDS.**

Of the proceeds from the sale of Federal land described in section 311(b)—

(1) 5 percent shall be paid directly to the State for use in the general education program of the State;

(2) 10 percent shall be paid to the County for use for fire protection, law enforcement, education, public safety, housing, social services, transportation, and planning; and

(3) the remainder shall be deposited in a special account in the Treasury of the United States, to be known as the “White Pine County Special Account” (referred to in this subtitle as the “special account”), and shall be available without further appropriation to the Secretary until expended for—

(A) the reimbursement of costs incurred by the Nevada State office and the Ely Field Office of the Bureau of Land Management for preparing for the sale of Federal land described in section 311(b), including the costs of surveys and appraisals and compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713);

(B) the inventory, evaluation, protection, and management of unique archaeological resources (as defined in section 3 of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470bb)) of the County;

(C) the reimbursement of costs incurred by the Department of the Interior for preparing and carrying out the transfers of land to be held in trust by the United States under section 361;

(D) conducting a study of routes for the Silver State Off-Highway Vehicle Trail as required by section 355(a);

(E) developing and implementing the Silver State Off-Highway Vehicle Trail management plan described in section 355(c);

(F) wilderness protection and processing wilderness designations, including the costs of appropriate fencing, signage, public education, and enforcement for the wilderness areas designated;

(G) if the Secretary determines necessary, developing and implementing conservation plans for endangered or at risk species in the County; and

(H) carrying out a study to assess non-motorized recreation opportunities on Federal land in the County.

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## Subtitle B—Wilderness Areas

**SEC. 321. SHORT TITLE.**

This subtitle may be cited as the “Pam White Wilderness Act of 2006”.

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**SEC. 323. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.**

(a) **ADDITIONS.**—The following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

(1) **[16 U.S.C. 1132 note] MT. MORIAH WILDERNESS ADDITION.**—Certain Federal land managed by the Forest Service and the Bureau of Land Management, comprising approximately 11,261 acres, as generally depicted on the map entitled “Eastern White Pine County” and dated November 29, 2006, is incorporated in, and shall be managed as part of, the Mt. Moriah Wilderness, as designated by section 2(13) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195).

(2) **[16 U.S.C. 1132 note] MOUNT GRAFTON WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 78,754 acres, as generally depicted on the map entitled “Southern White Pine County” and dated November 29, 2006, which shall be known as the “Mount Grafton Wilderness”.

(3) **[16 U.S.C. 1132 note] SOUTH EGAN RANGE WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 67,214 acres, as generally depicted on the map entitled “Southern White Pine County” and dated November 29, 2006, which shall be known as the “South Egan Range Wilderness”.

(4) **[16 U.S.C. 1132 note] HIGHLAND RIDGE WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management and the Forest Service, comprising approximately 68,627 acres, as generally depicted on the map entitled “Southern White Pine County” and dated November 29, 2006, which shall be known as the “Highland Ridge Wilderness”.

(5) **[16 U.S.C. 1132 note] GOVERNMENT PEAK WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 6,313 acres, as generally depicted on the map entitled “Eastern White Pine County” and dated November 29, 2006, which shall be known as the “Government Peak Wilderness”.

(6) **[16 U.S.C. 1132 note] CURRANT MOUNTAIN WILDERNESS ADDITION.**—Certain Federal land managed by the Forest Service, comprising approximately 10,697 acres, as generally depicted on the map entitled “Western White Pine County” and dated November

29, 2006, is incorporated in, and shall be managed as part of, the “Currant Mountain Wilderness”, as designated by section 2(4) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195).

(7) **[16 U.S.C. 1132 note] RED MOUNTAIN WILDERNESS.**—Certain Federal land managed by the Forest Service, comprising approximately 20,490 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, which shall be known as the “Red Mountain Wilderness”.

(8) [16 U.S.C. 1132 note] **BALD MOUNTAIN WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management and the Forest Service, comprising approximately 22,366 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, which shall be known as the “Bald Mountain Wilderness”.

(9) [16 U.S.C. 1132 note] **WHITE PINE RANGE WILDERNESS.**—Certain Federal land managed by the Forest Service, comprising approximately 40,013 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, which shall be known as the “White Pine Range Wilderness”.

(10) [16 U.S.C. 1132 note] **SHELLBACK WILDERNESS.**—Certain Federal land managed by the Forest Service, comprising approximately 36,143 acres, as generally depicted on the map entitled “Western White Pine County” and dated November 29, 2006, which shall be known as the “Shellback Wilderness”.

(11) [16 U.S.C. 1132 note] **HIGH SCHELLS WILDERNESS.**—Certain Federal land managed by the Forest Service, comprising approximately 121,497 acres, as generally depicted on the map entitled “Eastern White Pine County” and dated November 29, 2006, which shall be known as the “High Schells Wilderness”.

(12) [16 U.S.C. 1132 note] **BECKY PEAK WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 18,119 acres, as generally depicted on the map entitled “Northern White Pine County” and dated November 29, 2006, which shall be known as the “Becky Peak Wilderness”.

(13) [16 U.S.C. 1132 note] **GOSHUTE CANYON WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 42,544 acres, as generally depicted on the map entitled “Northern White Pine County” and dated November 29, 2006, which shall be known as the “Goshute Canyon Wilderness”.

(14) [16 U.S.C. 1132 note] **BRISTLECONE WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 14,095 acres, as generally depicted on the map entitled “Eastern White Pine County” and dated November 29, 2006, which shall be known as the “Bristlecone Wilderness”.

(b) **BOUNDARY.**—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by a road shall be at least 100 feet from the edge of the road to allow public access.

(c) **MAP AND LEGAL DESCRIPTION.**—

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

(2) **EFFECT.**—Each map and legal description shall have the same force and effect as if included in this section, except

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

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in the appropriate offices of—

- (A) the Bureau of Land Management;
- (B) the Forest Service; and
- (C) the National Park Service.

(d) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas designated by subsection (a) are withdrawn from—

- (1) all forms of entry, appropriation, and disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing and geothermal leasing laws.

(e) MT. MORIAH WILDERNESS ADJUSTMENT.—The boundary of the Mt. Moriah Wilderness established under section 2(13) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note) is adjusted to include—

(1) the land identified as the “Mount Moriah Wilderness Area” and “Mount Moriah Additions” on the map entitled “Eastern White Pine County” and dated November 29, 2006; and

(2) the land identified as “NFS Lands” on the map entitled “Proposed Wilderness Boundary Adjustment Mt. Moriah Wilderness Area” and dated January 19, 2017.

(f) HIGH SCHELLS WILDERNESS ADJUSTMENT.—The boundary of the High Schells Wilderness established under subsection (a)(11) is adjusted—

(1) to include the land identified as “Include as Wilderness” on the map entitled “McCoy Creek Adjustment” and dated November 3, 2014; and

(2) to exclude the land identified as “NFS Lands” on the map entitled “Proposed Wilderness Boundary Adjustment High Schells Wilderness Area” and dated January 19, 2017.

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## Subtitle D—Public Conveyances

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### SEC. 352. CONVEYANCE TO WHITE PINE COUNTY, NEVADA.

(a) IN GENERAL.—Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), the Secretary shall convey to the County, without consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) are—

- (1) the approximately 1,551 acres of land identified on the map entitled “Ely, Nevada Area”, dated November 29, 2006, as the Airport Expansion; and

(2) the approximately 202 acres of land identified on the map entitled "Ely, Nevada Area", dated November 29, 2006, as the Industrial Park Expansion.

(c) AUTHORIZED USES.—

(1) AIRPORT EXPANSION.—The parcel of land described in subsection (b)(1) shall be used by the County to expand the Ely Airport.

(2) INDUSTRIAL PARK EXPANSION.—The parcel of land described in subsection (b)(2) shall be used by the County to expand the White Pine County Industrial Park.

(3) USE OF CERTAIN LAND FOR NONRESIDENTIAL DEVELOPMENT.—

(A) IN GENERAL.—After conveyance to the County of the land described in subsection (b), the County may sell, lease, or otherwise convey any portion of the land conveyed for purposes of nonresidential development relating to the authorized uses described in paragraphs (1) and (2).

(B) METHOD OF SALE.—The sale, lease, or conveyance of land under subparagraph (A) shall be—

- (i) through a competitive bidding process; and
- (ii) for not less than fair market value.

(C) DISPOSITION OF PROCEEDS.—The gross proceeds from the sale, lease, or conveyance of land under subparagraph (A) shall be distributed in accordance with section 312.

(d) REVERSION.—If a parcel of land conveyed under subsection (a) is used in a manner that is inconsistent with the use described for the parcel in paragraph (1), (2), or (3) of subsection (c), the parcel of land shall, at the discretion of the Secretary, revert to the United States.

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