

107TH CONGRESS  
2D SESSION

# H. R. 5200

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## AN ACT

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, 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 “Clark County Con-  
3 servation of Public Land and Natural Resources Act of  
4 2002”.

**5 SEC. 2. TABLE OF CONTENTS.**

6 The table of contents of this Act is as follows:

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- Sec. 809. Future benefits.

## TITLE IX—MISCELLANEOUS PROVISIONS

- Sec. 901. Technical amendments to the Mesquite Lands Act 2001.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) AGREEMENT.—The term “Agreement”  
 4 means the Agreement entitled “Interim Cooperative  
 5 Management Agreement Between the United States  
 6 of the Interior Bureau of Land Management and  
 7 Clark County”, dated November 4, 1992.

8 (2) COUNTY.—The term “County” means Clark  
 9 County, Nevada.

1           (3) SECRETARY.—The term “Secretary”  
2 means—

3           (A) the Secretary of Agriculture with re-  
4 spect to land in the National Forest System; or

5           (B) the Secretary of the Interior, with re-  
6 spect to other Federal land.

7           (4) STATE.—The term “State” means the State  
8 of Nevada.

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

10       There is authorized such sums as may be necessary  
11 to carry out this Act.

12 **TITLE I—RED ROCK CANYON NA-**  
13 **TIONAL CONSERVATION AREA**  
14 **LAND EXCHANGE AND**  
15 **BOUNDARY ADJUSTMENT**

16 **SEC. 101. SHORT TITLE.**

17       This title may be cited as the “Red Rock Canyon Na-  
18 tional Conservation Area Protection and Enhancement  
19 Act of 2002”.

20 **SEC. 102. DEFINITIONS.**

21       As used in this title:

22           (1) CORPORATION.—The term “Corporation”  
23 means the Howard Hughes Corporation, an affiliate  
24 of the Rouse Company, with its principal place of

1 business at 10000 West Charleston Boulevard, Las  
2 Vegas, Nevada.

3 (2) RED ROCK CANYON.—The term “Red Rock  
4 Canyon” means the Red Rock Canyon National  
5 Conservation Area, consisting of approximately  
6 195,780 acres of public lands in Clark County, Ne-  
7 vada, specially designated for protection in the Red  
8 Rock Canyon National Conservation Area Establish-  
9 ment Act of 1990 (16 U.S.C. 460ccc et seq.), as de-  
10 picted on the Red Rock Canyon Map.

11 (3) RED ROCK CANYON MAP.—The term “Red  
12 Rock Canyon Map” means the map entitled “South-  
13 ern Nevada Public Land Management Act”, dated  
14 October 1, 2002.

15 **SEC. 103. FINDINGS AND PURPOSES.**

16 (a) FINDINGS.—The Congress makes the following  
17 findings:

18 (1) Red Rock Canyon is a natural resource of  
19 major significance to the people of Nevada and the  
20 United States. It must be protected in its natural  
21 state for the enjoyment of future generations of Ne-  
22 vadans and Americans, and enhanced wherever pos-  
23 sible.

24 (2) In 1998, the Congress enacted the Southern  
25 Nevada Public Lands Management Act of 1998

1 (Public Law 105-263), which provided among other  
2 things for the protection and enhancement of Red  
3 Rock Canyon.

4 (3) The Corporation owns much of the private  
5 land on Red Rock Canyon's eastern boundary, and  
6 is engaged in developing a large-scale master-  
7 planned community.

8 (4) Included in the Corporation's land holdings  
9 are 1,071 acres of high-ground lands at the eastern  
10 edge of Red Rock Canyon. These lands were in-  
11 tended to be included in Red Rock, but to date have  
12 not been acquired by the United States. The protec-  
13 tion of this high-ground acreage would preserve an  
14 important element of the western Las Vegas Valley  
15 viewshed.

16 (5) The Corporation has volunteered to forgo  
17 development of the high-ground lands, and proposes  
18 that the United States acquire title to the lands so  
19 that they can be preserved in perpetuity to protect  
20 and expand Red Rock Canyon.

21 (b) PURPOSES.—The purpose of this title are:

22 (1) To accomplish an exchange of lands be-  
23 tween the United States and the Corporation that  
24 would transfer certain high-ground lands to the  
25 United States in exchange for the transfer of other

1 lands of approximately equal value to the Corpora-  
2 tion.

3 (2) To protect Red Rock Canyon and to expand  
4 its boundaries as contemplated by the Bureau of  
5 Land Management, as depicted on the Red Rock  
6 Canyon Map.

7 (3) To further fulfill the purposes of the South-  
8 ern Nevada Public Lands Management Act of 1998  
9 and the Red Rock Canyon National Conservation  
10 Area Establishment Act of 1990.

11 **SEC. 104. RED ROCK CANYON LAND EXCHANGE.**

12 (a) ACQUISITION REQUIREMENT.—If the Corporation  
13 offers to convey to the United States all right, title, and  
14 interest in and to the approximately 1,082 acres of non-  
15 Federal land owned by the Corporation and depicted on  
16 the Red Rock Canyon Map as “Offered Lands proposed  
17 addition to the Red Rock Canyon NCA”, the Secretary  
18 shall accept such offer on behalf of the United States, and  
19 not later than 90 days after the date of the offer, except  
20 as otherwise provided in this title, shall make the following  
21 conveyances:

22 (1) To the Corporation, the approximately 998  
23 acres of Federal lands depicted on the Red Rock  
24 Canyon Map as “Public land selected for exchange”.

1           (2) To Clark County, Nevada, the approxi-  
2           mately 1,221 acres of Federal lands depicted on the  
3           Red Rock Canyon Map as “Proposed BLM transfer  
4           for county park”.

5           (b) SIMULTANEOUS CONVEYANCES.—Title to the pri-  
6           vate property and the Federal property to be conveyed  
7           pursuant to this section shall be conveyed at the same  
8           time.

9           (c) MAP.—The Secretary shall keep the Red Rock  
10          Canyon Map on file and available for public inspection in  
11          the Las Vegas District Office of the Bureau of Land Man-  
12          agement in Nevada, and the State Office of the Bureau  
13          of Land Management, Reno, Nevada.

14          (d) CONDITIONS.—

15               (1) HAZARDOUS MATERIALS.—As a condition of  
16               the conveyance under subsection (a)(1), the Sec-  
17               retary shall require that the Corporation be respon-  
18               sible for removal of and remediation related to any  
19               hazardous materials that are present on the property  
20               conveyed to the United States under subsection (a).

21               (2) SURVEY.—As a condition of the conveyance  
22               under subsection (a)(1), the Secretary shall require  
23               that not later than 90 days after the date of the  
24               offer referred to in subsection (a), the Corporation  
25               shall provide a metes and bounds survey, that is ac-



ceptable to the Corporation, Clark County, and the Secretary, of the common boundary between the parcels of land to be conveyed under subsection (a).

(3) LANDS CONVEYED TO CLARK COUNTY.—As a condition of the conveyance under subsection (a)(2), the Secretary shall require that—

(A) the lands transferred to Clark County by the United States must be held in perpetuity by the County for use only as a public park or as part of a public regional trail system; and

(B) if the County attempts to transfer the lands or to undertake a use on the lands that is inconsistent with their preservation and use as described in subparagraph (A), such lands shall, at the discretion of the Secretary, revert to the United States.

(e) VALUATION.—

(1) EQUAL VALUE EXCHANGE.—The values of the Federal parcel and the non-Federal parcel, as determined under paragraph (2)—

(A) shall be equal; or

(B) if the values are not equal, shall be equalized in accordance with paragraph (3).

(2) APPRAISAL.—The values of the Federal parcel and the non-Federal parcel shall be deter-

1       mined by an appraisal, to be approved by the Sec-  
 2       retary, that complies with the Uniform Standards  
 3       for Federal Land Acquisitions.

4           (3) EQUALIZATION.—

5           (A) IN GENERAL.—If the value of the non-  
 6       Federal parcel is less than the value of the Fed-  
 7       eral parcel—

8           (i) the Corporation shall make a cash  
 9       equalization payment to the Secretary; or

10          (ii) the Secretary shall, as determined  
 11       to be appropriate by the Secretary and the  
 12       Corporation, reduce the acreage of the  
 13       Federal parcel.

14          (B) DISPOSITION OF PROCEEDS.—The  
 15       Secretary shall deposit any cash equalization  
 16       payments received under subparagraph (A)(i) in  
 17       accordance with section 4(e)(1)(C) of the  
 18       Southern Nevada Public Land Management Act  
 19       of 1998 (112 Stat. 2345).

20   **SEC. 105. STATUS AND MANAGEMENT OF LANDS.**

21          (a) INCLUSION AND MANAGEMENT OF LANDS.—

22       Upon the date of the enactment of this Act, the Secretary  
 23       shall administer the lands depicted on the Red Rock Map  
 24       as “Public Lands-proposed addition to the Red Rock Can-  
 25       yon NCA”, exclusive of those lands used for the Corps

1 of Engineers R-4 Detention Basin, as part of Red Rock  
2 and in accordance with the Red Rock Canyon National  
3 Conservation Area Establishment Act of 1990 (16 U.S.C.  
4 460ccc et seq.) and all other applicable laws.

5 (b) INCLUSION OF ACQUIRED LANDS.—Upon acqui-  
6 sition by the United States of lands under this Act, the  
7 Secretary shall—

8 (1) administer the lands as part of Red Rock  
9 and in accordance with the Red Rock Canyon Na-  
10 tional Conservation Area Establishment Act of 1990  
11 (16 U.S.C. 460ccc et seq.), the Southern Nevada  
12 Public Lands Management Act of 1998 (Public Law  
13 105–263), and all other applicable laws; and

14 (2) create new maps showing the boundaries of  
15 Red Rock as modified or pursuant to this Act, and  
16 make such maps available for review at the Las  
17 Vegas District Office of the Bureau of Land Man-  
18 agement and the State Office of the Bureau of Land  
19 Management, Reno, Nevada.

20 (c) CONFORMING AMENDMENT.—Section 3(a)(2) of  
21 the Red Rock Canyon National Conservation Area Estab-  
22 lishment Act of 1990 (16 U.S.C. 460ccc–1(a)(2)) is  
23 amended by inserting before the period the following: “,  
24 and such additional areas as are included in the conserva-  
25 tion area pursuant to the Red Rock Canyon National Con-

1 servation Area Protection and Enhancement Act of  
2 2002”.

3 **SEC. 106. GENERAL PROVISIONS.**

4 (a) REVIEW OF APPRAISAL.—Not later than 90 days  
5 after the date of the enactment of this Act, the Secretary  
6 shall complete a review of the appraisal entitled, “Com-  
7 plete Self-Contained Appraisal Red Rock Exchange, Las  
8 Vegas, Nevada”, completed on or about June 3, 2002. The  
9 difference in appraisal values shall be reimbursed to the  
10 Secretary by the Corporation in accordance with the  
11 Southern Nevada Public Lands Management Act of 1998.

12 (b) VALID EXISTING RIGHTS.—The land exchange  
13 under this Act shall be subject to valid existing rights.  
14 Each party to which property is conveyed under this Act  
15 shall succeed to the rights and obligations of the conveying  
16 party with respect to any lease, right-of-way, permit, or  
17 other valid existing right to which the property is subject.

18 (c) TECHNICAL CORRECTIONS.—Nothing in this Act  
19 prohibits the parties to the conveyances under this Act  
20 from agreeing to the correction of technical errors or omis-  
21 sions in the Red Rock Map.

22 (d) WITHDRAWAL OF AFFECTED LANDS.—To the ex-  
23 tent not already accomplished under law or administrative  
24 action, the Secretary shall withdraw from operation of the

1 public land and mining laws, subject to valid existing  
2 rights—

3 (1) those Federal lands acquired by the United  
4 States under this Act; and

5 (2) those Federal lands already owned by the  
6 United States on the date of enactment of this Act  
7 but included within the Red Rock National Con-  
8 servation Area boundaries by this Act.

## 9 **TITLE II—WILDERNESS AREAS**

### 10 **SEC. 201. FINDINGS.**

11 The Congress finds that—

12 (1) public land in the County contains unique  
13 and spectacular natural resources, including—

14 (A) priceless habitat for numerous species  
15 of plants and wildlife; and

16 (B) thousands of acres of pristine land  
17 that remain in a natural state;

18 (2) continued preservation of those areas would  
19 benefit the County and all of the United States by—

20 (A) ensuring the conservation of eco-  
21 logically diverse habitat;

22 (B) conserving primitive recreational re-  
23 sources; and

24 (C) protecting air and water quality.

1 **SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESER-**  
2 **VATION SYSTEM.**

3 (a) ADDITIONS.—The following land in the State is  
4 designated as wilderness and as components of the Na-  
5 tional Wilderness Preservation System:

6 (1) ARROW CANYON WILDERNESS.—Certain  
7 Federal land managed by the Bureau of Land Man-  
8 agement, comprising approximately 27,530 acres, as  
9 generally depicted on the map entitled “Arrow Can-  
10 yon”, dated October 1, 2002, which shall be known  
11 as the “Arrow Canyon Wilderness”.

12 (2) BLACK CANYON WILDERNESS.—Certain  
13 Federal land within the Lake Mead National Recre-  
14 ation Area and an adjacent portion of Federal land  
15 managed by the Bureau of Land Management, com-  
16 prising approximately 17,220 acres, as generally de-  
17 picted on the map entitled “Eldorado/Spirit Moun-  
18 tain”, dated October 1, 2002, which shall be known  
19 as the Black Canyon Wilderness .

20 (3) BRIDGE CANYON WILDERNESS.—Certain  
21 Federal land within the Lake Mead National Recre-  
22 ation Area, comprising approximately 7,761 acres,  
23 as generally depicted on the map entitled “Eldorado/  
24 Spirit Mountain”, dated October 1, 2002, which  
25 shall be known as “the Bridge Canyon Wilderness”.

1           (4) ELDORADO WILDERNESS.—Certain Federal  
2       land within the Lake Mead National Recreation  
3       Area and an adjacent portion of Federal land man-  
4       aged by the Bureau of Land Management, com-  
5       prising approximately 31,950 acres, as generally de-  
6       picted on the map entitled “Eldorado/Spirit Moun-  
7       tain”, dated October 1, 2002, which shall be known  
8       as the “Eldorado Wilderness”.

9           (5) IRETEBA PEAKS WILDERNESS.—Certain  
10      Federal land within the Lake Mead National Recre-  
11      ation Area and an adjacent portion of Federal land  
12      managed by the Bureau of Land Management, com-  
13      prising approximately 32,745 acres, as generally de-  
14      picted on the map entitled “Eldorado/Spirit Moun-  
15      tain”, dated October 1, 2002, which shall be known  
16      as the “Ireteba Peaks Wilderness”.

17          (6) JIMBILNAN WILDERNESS.—Certain Federal  
18      land within the Lake Mead National Recreation  
19      Area, comprising approximately 18,879 acres, as  
20      generally depicted on the map entitled “Muddy  
21      Mountains”, dated October 1, 2002, which shall be  
22      known as the “Jimbilnan Wilderness”.

23          (7) JUMBO SPRINGS WILDERNESS.—Certain  
24      Federal land managed by the Bureau of Land Man-  
25      agement, comprising approximately 4,631 acres, as

1 generally depicted on the map entitled “Gold  
2 Butte”, dated October 1, 2002, which shall be  
3 known as the “Jumbo Springs Wilderness”.

4 (8) LA MADRE MOUNTAIN WILDERNESS.—Cer-  
5 tain Federal land within the Toiyabe National For-  
6 est and an adjacent portion of Federal land man-  
7 aged by the Bureau of Land Management, com-  
8 prising approximately 47,180 acres, as generally de-  
9 picted on the map entitled “Spring Mountains”,  
10 dated October 1, 2002, which shall be known as the  
11 “La Madre Mountain Wilderness”.

12 (9) LIME CANYON WILDERNESS.—Certain Fed-  
13 eral land managed by the Bureau of Land Manage-  
14 ment, comprising approximately 23,233 acres, as  
15 generally depicted on the map entitled “Gold  
16 Butte”, dated October 1, 2002, which shall be  
17 known as the “Lime Canyon Wilderness”.

18 (10) MT. CHARLESTON WILDERNESS ADDI-  
19 TIONS.—Certain Federal land within the Toiyabe  
20 National Forest and an adjacent portion of Federal  
21 land managed by the Bureau of Land Management,  
22 comprising approximately 13,598 acres, as generally  
23 depicted on the map entitled “Spring Mountains”,  
24 dated October 1, 2002, which shall be included in  
25 the Mt. Charleston Wilderness.



1           (11) MUDDY MOUNTAINS WILDERNESS.—Cer-  
2       tain Federal land within the Lake Mead National  
3       Recreation Area and an adjacent portion of land  
4       managed by the Bureau of Land Management, com-  
5       prising approximately 48,019 acres, as generally de-  
6       picted on the map entitled “Muddy Mountains”,  
7       dated October 1, 2002, which shall be known as the  
8       Muddy Mountains Wilderness.

9           (12) NELLIS WASH WILDERNESS.—Certain  
10      Federal land within the Lake Mead National Recre-  
11      ation Area, comprising approximately 16,423 acres,  
12      as generally depicted on the map entitled “Eldorado/  
13      Spirit Mountain”, dated October 1, 2002, which  
14      shall be known as the Nellis Wash Wilderness.

15          (13) NORTH MCCULLOUGH WILDERNESS.—Cer-  
16      tain Federal land managed by the Bureau of Land  
17      Management, comprising approximately 14,763  
18      acres, as generally depicted on the map entitled  
19      “McCulloughs”, dated October 1, 2002, which shall  
20      be known as the North McCullough Wilderness.

21          (14) PINTO VALLEY WILDERNESS.—Certain  
22      Federal land within the Lake Mead National Recre-  
23      ation Area, comprising approximately 39,173 acres,  
24      as generally depicted on the map entitled “Muddy

1 Mountains”, dated October 1, 2002, which shall be  
2 known as the Pinto Valley Wilderness.

3 (15) RAINBOW MOUNTAIN WILDERNESS.—Cer-  
4 tain Federal land within the Toiyabe National For-  
5 est and an adjacent portion of Federal land man-  
6 aged by the Bureau of Land Management, com-  
7 prising approximately 24,997 acres, as generally de-  
8 picted on the map entitled “Spring Mountains”,  
9 dated October 1, 2002, which shall be known as the  
10 Rainbow Mountain Wilderness.

11 (16) SOUTH MCCULLOUGH WILDERNESS.—Cer-  
12 tain Federal land managed by the Bureau of Land  
13 Management, comprising approximately 44,245  
14 acres, as generally depicted on the map entitled  
15 “McCulloughs”, dated October 1, 2002, which shall  
16 be known as the South McCullough Wilderness.

17 (17) SPIRIT MOUNTAIN WILDERNESS.—Certain  
18 Federal land within the Lake Mead National Recre-  
19 ation Area and an adjacent portion of Federal land  
20 managed by the Bureau of Land Management, com-  
21 prising approximately 33,518 acres, as generally de-  
22 picted on the map entitled “Eldorado/Spirit Moun-  
23 tain”, dated October 1, 2002, which shall be known  
24 as the Spirit Mountain Wilderness.

1           (18) WEE THUMP JOSHUA TREE WILDER-  
2       NESS.—Certain Federal land managed by the Bu-  
3       reau of Land Management, comprising approxi-  
4       mately 6,050 acres, as generally depicted on the  
5       map entitled “McCulloughs”, dated October 1, 2002,  
6       which shall be known as the Wee Thump Joshua  
7       Tree Wilderness.

8       (b) BOUNDARY.—

9           (1) LAKE OFFSET.—The boundary of any por-  
10      tion of a wilderness area designated by subsection  
11      (a) that is bordered by Lake Mead, Lake Mohave,  
12      or the Colorado River shall be 300 feet inland from  
13      the high water line.

14          (2) ROAD OFFSET.—The boundary of any por-  
15      tion of a wilderness area designated by subsection  
16      (a) that is bordered by a road shall be at least 100  
17      feet from the edge of the road to allow public access.

18      (c) MAP AND LEGAL DESCRIPTION.—

19          (1) IN GENERAL.—As soon as practicable after  
20      the date of enactment of this Act, the Secretary  
21      shall file a map and legal description of each wilder-  
22      ness area designated by subsection (a) with the  
23      Committee on Resources of the House of Represent-  
24      atives and the Committee on Energy and Natural  
25      Resources of the Senate.

1           (2) EFFECT.—Each map and legal description  
2       shall have the same force and effect as if included  
3       in this section, except that the Secretary may correct  
4       clerical and typographical errors in the map or legal  
5       description.

6           (3) AVAILABILITY.—Each map and legal de-  
7       scription shall be on file and available for public in-  
8       spection in the appropriate offices of the Bureau of  
9       Land Management, National Park Service, or Forest  
10      Service, as applicable.

11      (d) WITHDRAWAL.—Subject to valid existing rights,  
12      the wilderness areas designated in this section are with-  
13      drawn from—

14           (1) all forms of entry, appropriation, and dis-  
15      posal under the public land laws;

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

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

20      **SEC. 203. ADMINISTRATION.**

21      (a) MANAGEMENT.—Subject to valid existing rights,  
22      each area designated as wilderness by this title shall be  
23      administered by the Secretary in accordance with the Wil-  
24      derness Act (16 U.S.C. 1131 et seq.), except that—

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

4           (2) any reference in that Act to the Secretary  
5           of Agriculture shall be considered to be a reference  
6           to the Secretary of the Interior with respect to lands  
7           administered by the Secretary of the Interior.

8           (b) LIVESTOCK.—Within the wilderness areas des-  
9           ignated under this title that are administered by the Bu-  
10          reau of Land Management, the grazing of livestock in  
11          areas in which grazing is established as of the date of en-  
12          actment of this Act shall be allowed to continue, subject  
13          to such reasonable regulations, policies, and practices that  
14          the Secretary considers necessary, consistent with section  
15          4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), in-  
16          cluding the guidelines set forth in Appendix A of House  
17          Report 101–405.

18          (c) INCORPORATION OF ACQUIRED LANDS AND IN-  
19          TERESTS.—Any land or interest in land within the bound-  
20          aries of an area designated as wilderness by this title that  
21          is acquired by the United States after the date of enact-  
22          ment of this Act shall be added to and administered as  
23          part of the wilderness area within which the acquired land  
24          or interest is located.

25          (d) WATER RIGHTS.—

1 (1) FINDINGS.—Congress finds that—

2 (A) the lands designated as Wilderness by  
3 this Act are within the Mojave Desert, are arid  
4 in nature, and include ephemeral streams;

5 (B) the hydrology of the lands designated  
6 as wilderness by this Act is locally characterized  
7 by complex flow patterns and alluvial fans with  
8 impermanent channels;

9 (C) the subsurface hydrogeology of the re-  
10 gion is characterized by ground water subject to  
11 local and regional flow gradients and artesian  
12 aquifers;

13 (D) the lands designated as wilderness by  
14 this Act are generally not suitable for use or de-  
15 velopment of new water resource facilities and  
16 there are no actual or proposed water resource  
17 facilities and no opportunities for diversion,  
18 storage, or other uses of water occurring out-  
19 side such lands that would adversely affect the  
20 wilderness or other values of such lands; and

21 (E) because of the unique nature and hy-  
22 drology of these desert lands designated as wil-  
23 derness by this Act and the existence of the  
24 Clark County Multi-Species Habitat Conserva-  
25 tion Plan it is possible to provide for proper

1 management and protection of the wilderness,  
2 perennial springs and other values of such lands  
3 in ways different from those used in other legis-  
4 lation.

5 (2) STATUTORY CONSTRUCTION.—

6 (A) Nothing in this Act shall constitute or  
7 be construed to constitute either an express or  
8 implied reservation by the United States of any  
9 water or water rights with respect to the lands  
10 designated as Wilderness by this Act.

11 (B) Nothing in this Act shall affect any  
12 water rights in the State of Nevada existing on  
13 the date of the enactment of this Act, including  
14 any water rights held by the United States.

15 (C) Nothing in this subsection shall be  
16 construed as establishing a precedent with re-  
17 gard to any future wilderness designations.

18 (D) Nothing in this Act shall be construed  
19 as limiting, altering, modifying, or amending  
20 any of the interstate compacts or equitable ap-  
21 portionment decrees that apportion water  
22 among and between the State of Nevada and  
23 other States.

24 (E) Nothing in this subsection shall be  
25 construed as limiting, altering, modifying, or

1           amending the Clark County Multi-Species Habi-  
2           tat Conservation Plan (MSHCP) with respect  
3           to the lands designated as Wilderness by this  
4           Act including the MSHCP's specific manage-  
5           ment actions for the conservation of perennial  
6           springs.

7           (3) NEVADA WATER LAW.—The Secretary shall  
8           follow the procedural and substantive requirements  
9           of the law of the State of Nevada in order to obtain  
10          and hold any water rights not in existence on the  
11          date of enactment of this Act with respect to the wil-  
12          derness areas designated by this Act.

13          (4) NEW PROJECTS.—

14                (A) As used in this paragraph, the term  
15                “water resource” facility means irrigation and  
16                pumping facilities, reservoirs, water conserva-  
17                tion works, aqueducts, canals, ditches, pipelines,  
18                wells, hydropower projects, and transmission  
19                and other ancillary facilities, and other water  
20                diversion, storage, and carriage structures. The  
21                term “water resource” facility does not include  
22                wildlife guzzlers.

23                (B) Except as otherwise provided in this  
24                Act, on and after the date of the enactment of  
25                this Act, neither the President nor any other of-



1           ficer, employee, or agent of the United States  
2           shall fund, assist, authorize, or issue a license  
3           or permit for the development of any new water  
4           resource facility within the wilderness areas  
5           designated by this Act.

6 **SEC. 204. ADJACENT MANAGEMENT.**

7           (a) IN GENERAL.—Congress does not intend for the  
8           designation of wilderness in the State pursuant to this  
9           title to lead to the creation of protective perimeters or  
10          buffer zones around any such wilderness area.

11          (b) NONWILDERNESS ACTIVITIES.—The fact that  
12          nonwilderness activities or uses can be seen or heard from  
13          areas within a wilderness designated under this title shall  
14          not preclude the conduct of those activities or uses outside  
15          the boundary of the wilderness area.

16 **SEC. 205. MILITARY OVERFLIGHTS.**

17          Nothing in this title restricts or precludes—

18               (1) low-level overflights of military aircraft over  
19               the areas designated as wilderness by this title, in-  
20               cluding military overflights that can be seen or  
21               heard within the wilderness areas;

22               (2) flight testing and evaluation; or

23               (3) the designation or creation of new units of  
24               special use airspace, or the establishment of military  
25               flight training routes, over the wilderness areas.

1 **SEC. 206. NATIVE AMERICAN CULTURAL AND RELIGIOUS**  
2 **USES.**

3 Nothing in this Act shall be construed to diminish  
4 the rights of any Indian Tribe. Nothing in this Act shall  
5 be construed to diminish tribal rights regarding access to  
6 Federal lands for tribal activities, including spiritual, cul-  
7 tural, and traditional food-gathering activities.

8 **SEC. 207. RELEASE OF WILDERNESS STUDY AREAS.**

9 (a) FINDING.—Congress finds that, for the purposes  
10 of section 603 of the Federal Land Policy and Manage-  
11 ment Act of 1976 (43 U.S.C. 1782), the public land in  
12 the County administered by the Bureau of Land Manage-  
13 ment and the Forest Service in the following areas have  
14 been adequately studied for wilderness designation:

15 (1) The Garrett Buttes Wilderness Study Area.

16 (2) The Quail Springs Wilderness Study Area.

17 (3) The Nellis A, B, C Wilderness Study Area.

18 (4) Any portion of the wilderness study areas—

19 (A) not designated as wilderness by section  
20 202(a); and

21 (B) designated for release on—

22 (i) the map entitled “Muddy Moun-  
23 tains” and dated October 1, 2002;

24 (ii) the map entitled “Spring Moun-  
25 tains” and dated October 1, 2002;

1 (iii) the map entitled “Arrow Canyon”  
2 and dated October 1, 2002;

3 (iv) the map entitled “Gold Butte”  
4 and dated October 1, 2002;

5 (v) the map entitled “McCullough  
6 Mountains” and dated October 1, 2002;

7 (vi) the map entitled “El Dorado/  
8 Spirit Mountain” and dated October 1,  
9 2002; or

10 (vii) the map entitled “Southern Ne-  
11 vada Public Land Management Act” and  
12 dated October 1, 2002.

13 (b) RELEASE.—Except as provided in subsection (c),  
14 any public land described in subsection (a) that is not des-  
15 ignated as wilderness by this title—

16 (1) is no longer subject to section 603(c) of the  
17 Federal Land Policy and Management Act of 1976  
18 (43 U.S.C. 1782(c)); and

19 (2) shall be managed in accordance with—

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

22 (B) existing cooperative conservation  
23 agreements.

24 (c) RIGHT-OF-WAY GRANT.—The Secretary shall  
25 issue to the State-regulated sponsor of the Centennial

1 Project the right-of-way for the construction and mainte-  
2 nance of two 500-kilovolt electrical transmission lines. The  
3 construction shall occur within a 500-foot-wide corridor  
4 that is released from the Sunrise Mountains Instant Study  
5 Area in the County as depicted on the Southern Nevada  
6 Public Land Management Act map, dated October 1,  
7 2002.

8 **SEC. 208. WILDLIFE MANAGEMENT.**

9 (a) IN GENERAL.—In accordance with section  
10 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),  
11 nothing in this title affects or diminishes the jurisdiction  
12 of the State with respect to fish and wildlife management,  
13 including the regulation of hunting, fishing, and trapping,  
14 in the wilderness areas designated by this title.

15 (b) MANAGEMENT ACTIVITIES.—In furtherance of  
16 the purposes and principles of the Wilderness Act, man-  
17 agement activities to maintain or restore fish and wildlife  
18 populations and the habitats to support such populations  
19 may be carried out within wilderness areas designated by  
20 this title where consistent with relevant wilderness man-  
21 agement plans, in accordance with appropriate policies  
22 such as those set forth in Appendix B of House Report  
23 101–405, including the occasional and temporary use of  
24 motorized vehicles, if such use, as determined by the Sec-  
25 retary, would promote healthy, viable, and more naturally

1 distributed wildlife populations that would enhance wilder-  
2 ness values and accomplish those purposes with the min-  
3 imum impact necessary to reasonably accomplish the task.

4 (c) EXISTING ACTIVITIES.—Consistent with section  
5 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and  
6 in accordance with appropriate policies such as those set  
7 forth in Appendix B of House Report 101–405, the State  
8 may continue to use aircraft, including helicopters, to sur-  
9 vey, capture, transplant, monitor, and provide water for  
10 wildlife populations, including bighorn sheep, and feral  
11 stock, horses, and burros.

12 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—  
13 Subject to subsection (f), the Secretary shall, authorize  
14 structures and facilities, including existing structures and  
15 facilities, for wildlife water development projects, including  
16 guzzlers, in the wilderness areas designated by this title  
17 if—

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

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

1       (e) HUNTING, FISHING, AND TRAPPING.—The Sec-  
2       retary may designate by regulation areas in consultation  
3       with the appropriate State agency (except in emergencies),  
4       in which, and establish periods during which, for reasons  
5       of public safety, administration, or compliance with appli-  
6       cable laws, no hunting, fishing, or trapping will be per-  
7       mitted in the wilderness areas designated by this title.

8       (f) COOPERATIVE AGREEMENT.—No later than one  
9       year after the date of enactment of this Act, the Secretary  
10      shall enter into a cooperative agreement with the State  
11      of Nevada. The cooperative agreement shall specify the  
12      terms and conditions under which the State (including a  
13      designee of the State) may use wildlife management activi-  
14      ties in the wilderness areas designated by this title.

15   **SEC. 209. WILDFIRE MANAGEMENT.**

16      Consistent with section 4 of the Wilderness Act (16  
17      U.S.C. 1133), nothing in this title precludes a Federal,  
18      State, or local agency from conducting wildfire manage-  
19      ment operations (including operations using aircraft or  
20      mechanized equipment) to manage wildfires in the wilder-  
21      ness areas designated by this title.

22   **SEC. 210. CLIMATOLOGICAL DATA COLLECTION.**

23      Subject to such terms and conditions as the Secretary  
24      may prescribe, nothing in this title precludes the installa-  
25      tion and maintenance of hydrologic, meteorologic, or cli-

1 matological collection devices in the wilderness areas des-  
 2 ignated by this title if the facilities and access to the facili-  
 3 ties are essential to flood warning, flood control, and water  
 4 reservoir operation activities.

5 **SEC. 211. NATIONAL PARK SERVICE LANDS.**

6 To the extent any of the provisions of this title are  
 7 in conflict with laws, regulations, or management policies  
 8 applicable to the National Park Service for Lake Mead  
 9 National Recreation Area, those laws, regulations, or poli-  
 10 cies shall control.

11 **TITLE III—TRANSFERS OF**  
 12 **ADMINISTRATIVE JURISDICTION**

13 **SEC. 301. TRANSFER OF ADMINISTRATIVE JURISDICTION**  
 14 **TO THE U.S. FISH AND WILDLIFE SERVICE.**

15 (a) IN GENERAL.—Administrative jurisdiction over  
 16 the land described in subsection (b) is transferred from  
 17 the Bureau of Land Management to the United States  
 18 Fish and Wildlife Service for inclusion in the Desert Na-  
 19 tional Wildlife Range.

20 (b) DESCRIPTION OF LAND.—The parcel of land re-  
 21 ferred to in subsection (a) is the approximately 26,433  
 22 acres of land administered by the Bureau of Land Man-  
 23 agement as generally depicted on the map entitled “Arrow  
 24 Canyon” and dated October 1, 2002.

25 (c) WILDERNESS RELEASE.—

1           (1) Congress finds that the parcel of land de-  
2       scribed in subsection (b) has been adequately studied  
3       for wilderness designation for the purposes of sec-  
4       tion 603(c) of the Federal Land Policy and Manage-  
5       ment Act of 1976 (43 U.S.C. 1782(c)).

6           (2) The parcel of land described in subsection  
7       (b)—

8                   (A) shall not be subject to section 603(c)  
9       of the Federal Land Policy and Management  
10      Act of 1976 (43 U.S.C. 1782(c)); and

11                  (B) shall be managed in accordance with  
12                      (i) the National Wildlife Refuge Sys-  
13                      tem Administration Act, as amended by  
14                      the National Wildlife Refuge System Im-  
15                      provement Act of 1997 (16 U.S.C.  
16                      668dd–668ee); and

17                      (ii) existing cooperative conservation  
18                      agreements.

19   **SEC. 302. TRANSFER OF ADMINISTRATIVE JURISDICTION**  
20                      **TO NATIONAL PARK SERVICE.**

21           (a) IN GENERAL.—Administrative jurisdiction over  
22   the parcel of land described in subsection (b) is trans-  
23   ferred from the Bureau of Land Management to the Na-  
24   tional Park Service for inclusion in the Lake Mead Na-  
25   tional Recreation Area.



1 (b) DESCRIPTION OF LAND.—The parcel of land re-  
 2 ferred to in subsection (a) is the approximately 10 acres  
 3 of Bureau of Land Management land, as depicted on the  
 4 map entitled “Eldorado/Spirit Mountain” and dated Octo-  
 5 ber 1, 2002.

6 (c) USE OF LAND.—The parcel of land described in  
 7 subsection (b) shall be used by the National Park Service  
 8 for administrative facilities.

9 **TITLE IV—AMENDMENTS TO THE**  
 10 **SOUTHERN NEVADA PUBLIC**  
 11 **LAND MANAGEMENT ACT**

12 **SEC. 401. DISPOSAL AND EXCHANGE.**

13 (a) IN GENERAL.—Section 4 of the Southern Nevada  
 14 Public Land Management Act of 1998 (112 Stat. 2344)  
 15 is amended—

16 (1) in the first sentence of subsection (a), by  
 17 striking “entitled Las Vegas Valley, Nevada, Land  
 18 Disposal Map, dated April 10, 1997” and inserting  
 19 “entitled Southern Nevada Public Land Manage-  
 20 ment Act, dated October 1, 2002”; and

21 (2) in subsection (e)(3)(A)—

22 (A) in clause (iv)—

23 (i) by inserting “or regional govern-  
 24 mental” entity after “local government”;  
 25 and

1 (ii) by striking “and” at the end;  
 2 (B) by redesignating clause (v) as clause  
 3 (vi); and  
 4 (C) by inserting after clause (iv) the fol-  
 5 lowing:  
 6 “(v) up to 10 percent of amounts  
 7 available, to be used for conservation ini-  
 8 tiatives on Federal land in Clark County,  
 9 Nevada, administered by the Department  
 10 of the Interior or the Department of Agri-  
 11 culture; and”.

12 (b) EFFECTIVE DATE.—The amendments made by  
 13 subsection (a) take effect on January 31, 2003.

14 (c) WITHDRAWAL.—Subject to valid existing rights,  
 15 the land designated for disposal in this section is with-  
 16 drawn from entry and appropriation under the public land  
 17 laws, location and entry, under the mining laws, and from  
 18 operation under the mineral leasing and geothermal leas-  
 19 ing laws until such times as the Secretary terminates the  
 20 withdrawal or the lands are patented.

## 21 **TITLE V—IVANPAH CORRIDOR**

### 22 **SEC. 501. INTERSTATE ROUTE 15 SOUTH CORRIDOR.**

23 (a) MANAGEMENT OF INTERSTATE ROUTE 15 COR-  
 24 RIDOR LAND.—

1           (1) IN GENERAL.—The Secretary shall manage  
2           the land located along the Interstate Route 15 cor-  
3           ridor south of the Las Vegas Valley to the border  
4           between the States of California and Nevada, gen-  
5           erally depicted as Interstate 15 South Corridor on  
6           the map entitled “Clark County Conservation of  
7           Public Land and Natural Resources Act of 2002”  
8           and dated October 1, 2002, in accordance with the  
9           Southern Nevada Public Land Management Act of  
10          1998 (112 Stat. 2343) and this section.

11          (2) AVAILABILITY OF MAP.—The map described  
12          in paragraph (1) shall be on file and available for  
13          public inspection in the appropriate offices of the  
14          Bureau of Land Management.

15          (3) MULTIPLE USE MANAGEMENT.—Subject to  
16          any land management designations under the 1998  
17          Las Vegas District Resource Management Plan or  
18          the Clark County Multi-Species Conservation Plan,  
19          land depicted on the map described in paragraph (1)  
20          shall be managed for multiple use purposes.

21          (4) TERMINATION OF ADMINISTRATIVE WITH-  
22          DRAWAL.—The administrative withdrawal of the  
23          land identified as the Interstate 15 South Corridor  
24          on the map entitled “Clark County Conservation of  
25          Public Land and Natural Resources Act of 2002”

1 and dated October 1, 2002, from mineral entry  
2 dated July 23, 1997, and as amended March 9,  
3 1998, as further amended July 2, 2002, is termi-  
4 nated.

5 (5) WITHDRAWAL OF LAND.—Subject to valid  
6 existing rights, the corridor described in subsection  
7 (b) and the land described in subsection (c)(1) are  
8 withdrawn from location and entry under the mining  
9 laws, and from operation under the mineral leasing  
10 and geothermal leasing laws, until such time as—

11 (A) the Secretary terminates the with-  
12 drawal; or

13 (B) the corridor or land, respectively, is  
14 patented.

15 (b) TRANSPORTATION AND UTILITIES CORRIDOR.—  
16 Notwithstanding sections 202 and 203 of the Federal  
17 Land Policy and Management Act of 1976 (43 U.S.C.  
18 1712, 1713), the Secretary, in consultation with the City  
19 of Henderson and the County, and in accordance with this  
20 section and other applicable laws and subject to valid ex-  
21 isting rights, shall establish a 2,640-foot-wide corridor be-  
22 tween the Las Vegas valley and the proposed Ivanpah Air-  
23 port for the placement, on a nonexclusive basis, of utilities  
24 and transportation.

1       (c) IVANPAH AIRPORT ENVIRONS OVERLAY DISTRICT  
2 LAND TRANSFER.—

3           (1) IN GENERAL.—Subject to paragraph (2)  
4 and valid existing rights, on request by the County,  
5 the Secretary shall transfer to the County, without  
6 consideration, all right, title, and interest of the  
7 United States in and to the land identified as  
8 Ivanpah Airport noise compatibility area on the map  
9 entitled “Clark County Conservation of Public Land  
10 and Natural Resources Act of 2002” and dated Oc-  
11 tober 1, 2002.

12           (2) CONDITIONS FOR TRANSFER.—As a condi-  
13 tion of the transfer under paragraph (1), the County  
14 shall agree—

15           (A) to manage the transferred land in ac-  
16 cordance with section 47504 of title 49, United  
17 States Code (including regulations promulgated  
18 under that section); and

19           (B) that if any portion of the transferred  
20 land is sold, leased, or otherwise conveyed or  
21 leased by the County—

22           (i) the sale, lease, or other conveyance  
23 shall be—

24           (I) subject to a limitation that  
25 requires that any use of the trans-

1           ferred land be consistent with the  
2           Agreement and section 47504 of title  
3           49, United States Code (including  
4           regulations promulgated under that  
5           section); and

6                       (II) for fair market value; and

7                       (ii) of any gross proceeds received by  
8           the County from the sale, lease, or other  
9           conveyance of the land, the County shall—

10                      (I) contribute 85 percent to the  
11                      special account established by section  
12                      4(e)(1)(C) of the Southern Nevada  
13                      Public Land Management Act of 1998  
14                      (112 Stat. 2345);

15                      (II) contribute 5 percent to the  
16                      State for use in the general education  
17                      program of the State; and

18                      (III) reserve 10 percent for use  
19                      by the Clark County Department of  
20                      Aviation for airport development and  
21                      noise compatibility programs.

22           (d) EFFECTIVE DATE.—Subsections (b) and (c) shall  
23           not take effect until construction of the Ivanpah Valley  
24           Airport is approved in accordance with Public Law 106–  
25           362.

1 **SEC. 502. AREA OF CRITICAL ENVIRONMENTAL CONCERN**  
2 **SEGREGATION.**

3 (a) TEMPORARY WITHDRAWAL.—Subject to valid ex-  
4 isting rights, any Federal land in an Area of Critical Envi-  
5 ronmental Concern that is designated for withdrawal  
6 under the 1998 Las Vegas Resource Management Plan,  
7 and which is not already withdrawn by the effect of this  
8 or any other Act, is hereby withdrawn from location,  
9 entry, and patent under the mining laws for a period not  
10 to exceed five years. The withdrawal shall lapse at the  
11 earlier—

- 12 (1) five years; or  
13 (2) when the Secretary issues a final decision  
14 on each proposed withdrawal.

15 (b) ADMINISTRATIVE WITHDRAWAL.—The Secretary  
16 shall make final decisions on each of the temporary with-  
17 draws described in subsection (a) within five years of  
18 the date of enactment of this Act. Such decisions shall  
19 be made consistent with the Federal Land Policy and  
20 Management Act (43 U.S.C. 1714), and in accordance  
21 with the 1998 Las Vegas Resource Management Plan.

22 (c) MINERAL REPORT.—The mineral reports re-  
23 quired by section 204(c)(12) of the Federal Land Policy  
24 and Management Act shall be the responsibility of the  
25 U.S. Geological Survey and shall be completed for each

1 of the temporary withdrawals described in subsection (a)  
 2 within four years of the date of enactment of this Act.

## 3 **TITLE VI—SLOAN CANYON NA-** 4 **TIONAL CONSERVATION AREA**

### 5 **SEC. 601. SHORT TITLE.**

6 This title may be cited as the “Sloan Canyon Na-  
 7 tional Conservation Area Act”.

### 8 **SEC. 602. PURPOSE.**

9 The purpose of this title is to establish the Sloan  
 10 Canyon National Conservation Area to conserve, protect,  
 11 and enhance for the benefit and enjoyment of present and  
 12 future generations the cultural, archaeological, natural,  
 13 wilderness, scientific, geological, historical, biological,  
 14 wildlife, educational, and scenic resources of the Conserva-  
 15 tion Area.

### 16 **SEC. 603. DEFINITIONS.**

17 In this title:

18 (1) **CONSERVATION AREA.**—The term “Con-  
 19 servation Area” means the Sloan Canyon National  
 20 Conservation Area established by section 604(a).

21 (2) **FEDERAL PARCEL.**—The term “Federal  
 22 parcel” means the parcel of Federal land consisting  
 23 of approximately 500 acres that is identified as  
 24 Tract A on the map entitled “Southern Nevada Pub-



1       lic Land Management Act” and dated October 1,  
2       2002.

3           (3) MANAGEMENT PLAN.—The term “manage-  
4       ment plan” means the management plan for the  
5       Conservation Area developed under section 605(b).

6           (4) MAP.—The term “map” means the map en-  
7       titled “Southern Nevada Public Land Management  
8       Act” and dated October 1, 2002.

9       **SEC. 604. ESTABLISHMENT.**

10       (a) IN GENERAL.—For the purpose described in sec-  
11      tion 602, there is established in the State a conservation  
12      area to be known as the Sloan Canyon National Conserva-  
13      tion Area.

14       (b) AREA INCLUDED.—The Conservation Area shall  
15      consist of approximately 48,438 acres of public land in  
16      the County, as generally depicted on the map.

17       (c) MAP AND LEGAL DESCRIPTION.—

18           (1) IN GENERAL.—As soon as practicable after  
19      the date of enactment of this Act, the Secretary  
20      shall submit to Congress a map and legal description  
21      of the Conservation Area.

22           (2) EFFECT.—The map and legal description  
23      shall have the same force and effect as if included  
24      in this section, except that the Secretary may correct  
25      minor errors in the map or legal description.

1           (3) PUBLIC AVAILABILITY.—A copy of the map  
2           and legal description shall be on file and available  
3           for public inspection in the appropriate office of the  
4           Bureau of Land Management.

5 **SEC. 605. MANAGEMENT.**

6           (a) IN GENERAL.—The Secretary, acting through the  
7           Director of the Bureau of Land Management, shall man-  
8           age the Conservation Area—

9                   (1) in a manner that conserves, protects, and  
10           enhances the resources of the Conservation Area;  
11           and

12                   (2) in accordance with—

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

15                           (B) other applicable law, including this  
16           Act.

17           (b) MANAGEMENT PLAN.—

18                   (1) IN GENERAL.—Not later than 3 years after  
19           the date of enactment of this Act, the Secretary, in  
20           consultation with the State, the city of Henderson,  
21           the County, and any other interested persons, shall  
22           develop a management plan for the Conservation  
23           Area.

24                   (2) REQUIREMENTS.—The management plan  
25           shall—

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

3 (B)(i) authorize the use of motorized vehi-  
4 cles in the Conservation Area—

5 (I) for installing, repairing, maintain-  
6 ing, and reconstructing water development  
7 projects, including guzzlers, that would en-  
8 hance the Conservation Area by promoting  
9 healthy, viable, and more naturally distrib-  
10 uted wildlife populations; and

11 (II) subject to any limitations that are  
12 not more restrictive than the limitations on  
13 such uses authorized in wilderness areas  
14 under section 208; and

15 (ii) include or provide recommendations on  
16 ways of minimizing the visual impacts of such  
17 activities on the Conservation Area;

18 (C) include a plan for litter cleanup and  
19 public lands awareness campaign on public  
20 lands in and around the Conservation Area; and

21 (D) include a recommendation on the loca-  
22 tion for a right-of-way for a rural roadway to  
23 provide the city of Henderson with access to the  
24 Conservation Area, in accordance with the ap-  
25 plication numbered N-65874.

1       (c) USES.—The Secretary shall allow only such uses  
2 of the Conservation Area that the Secretary determines  
3 will further the purpose described in section 602.

4       (d) MOTORIZED VEHICLES.—Except as needed for  
5 administrative purposes or to respond to an emergency,  
6 the use of motorized vehicles in the Conservation Area  
7 shall be permitted only on roads and trails designated for  
8 the use of motorized vehicles by the management plan de-  
9 veloped under subsection (b).

10       (e) WITHDRAWAL.—

11           (1) IN GENERAL.—Subject to valid existing  
12 rights, all public land in the Conservation Area is  
13 withdrawn from—

14               (A) all forms of entry and appropriation  
15               under the public land laws;

16               (B) location, entry, and patent under the  
17               mining laws; and

18               (C) operation of the mineral leasing, min-  
19               eral materials, and geothermal leasing laws.

20       (2) ADDITIONAL LAND.—Notwithstanding any  
21 other provision of law, if the Secretary acquires min-  
22 eral or other interests in a parcel of land within the  
23 Conservation Area after the date of enactment of  
24 this Act, the parcel is withdrawn from operation of

1 the laws referred to in paragraph (1) on the date of  
2 acquisition of the land.

3 (f) HUNTING, FISHING, AND TRAPPING.—

4 (1) IN GENERAL.—Nothing in this title affects  
5 the jurisdiction of the State with respect to fish and  
6 wildlife, including hunting, fishing, and trapping in  
7 the Conservation Area.

8 (2) LIMITATIONS.—

9 (A) REGULATIONS.—The Secretary may  
10 designate by regulation areas in which, and es-  
11 tablish periods during which, for reasons of  
12 public safety, administration, or compliance  
13 with applicable laws, no hunting, fishing, or  
14 trapping will be permitted in the Conservation  
15 Area.

16 (B) CONSULTATION.—Except in emer-  
17 gencies, the Secretary shall consult with the ap-  
18 propriate State agency before promulgating reg-  
19 ulations under subparagraph (A) that close a  
20 portion of the Conservation Area to hunting,  
21 fishing, or trapping.

22 (g) NO BUFFER ZONES.—

23 (1) IN GENERAL.—The establishment of the  
24 Conservation Area shall not create an express or im-

1       plied protective perimeter or buffer zone around the  
2       Conservation Area.

3           (2) PRIVATE LAND.—If the use of, or conduct  
4       of an activity on, private land that shares a bound-  
5       ary with the Conservation Area is consistent with  
6       applicable law, nothing in this title concerning the  
7       establishment of the Conservation Area shall pro-  
8       hibit or limit the use or conduct of the activity.

9   **SEC. 606. SALE OF FEDERAL PARCEL.**

10       (a) IN GENERAL.—Notwithstanding sections 202 and  
11   203 of the Federal Land Policy and Management Act of  
12   1976 (43 U.S.C. 1712, 1713) and subject to valid existing  
13   rights, not later than 1 year after the date of enactment  
14   of this Act, the Secretary shall convey to the highest quali-  
15   fied bidder all right, title, and interest of the United  
16   States in and to the Federal parcel.

17       (b) DISPOSITION OF PROCEEDS.—Of the gross pro-  
18   ceeds from the conveyance of land under subsection (a)—

19           (1) 5 percent shall be available to the State for  
20       use in the general education program of the State;  
21       and

22           (2) the remainder shall be deposited in the spe-  
23       cial account established under the Southern Nevada  
24       Public Lands Management Act of 1998 (Public Law

1       105–263; 112 Stat. 2345), to be available to the  
2       Secretary, without further appropriation for—

3               (A) the construction and operation of fa-  
4               cilities to support the management of the Con-  
5               servation Area;

6               (B) the construction and repair of trails  
7               and roads in the Conservation Area authorized  
8               under the management plan;

9               (C) research on and interpretation of the  
10              archaeological and geological resources of the  
11              Conservation Area;

12              (D) conservation and research relating to  
13              the Conservation Area; and

14              (E) any other purpose that the Secretary  
15              determines to be consistent with the purpose  
16              described in section 602.

17 **SEC. 607. RIGHT-OF-WAY.**

18       Not later than 180 days after the date of enactment  
19 of this Act, the Secretary shall convey to the City of Hen-  
20 derson the public right-of-way requested for public trail  
21 purposes under the application numbered N–76312 and  
22 the public right-of-way requested for public trail purposes  
23 under the application numbered N–65874.

## **TITLE VII—PUBLIC INTEREST CONVEYANCES**

### **SEC. 701. DEFINITION OF MAP.**

In this title, the term “map” means the map entitled “Southern Nevada Public Land Management Act” and dated October 1, 2002.

### **SEC. 702. CONVEYANCE TO THE UNIVERSITY OF NEVADA AT LAS VEGAS RESEARCH FOUNDATION.**

(a) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) the University of Nevada, Las Vegas, needs land in the greater Las Vegas area to provide for the future growth of the university;

(B) the proposal by the University of Nevada, Las Vegas, for construction of a research park and technology center in the greater Las Vegas area would enhance the high tech industry and entrepreneurship in the State; and

(C) the land transferred to the Clark County Department of Aviation under section 4(g) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2346) is the best location for the research park and technology center.



1           (2) PURPOSES.—The purposes of this section  
2     are—

3                   (A) to provide a suitable location for the  
4           construction of a research park and technology  
5           center in the greater Las Vegas area;

6                   (B) to provide the public with opportuni-  
7           ties for education and research in the field of  
8           high technology; and

9                   (C) to provide the State with opportunities  
10          for competition and economic development in  
11          the field of high technology.

12       (b) TECHNOLOGY RESEARCH CENTER.—

13           (1) CONVEYANCE.—Notwithstanding section  
14       4(g)(4) of the Southern Nevada Public Land Man-  
15       agement Act of 1998 (112 Stat. 2347), the Clark  
16       County Department of Aviation may convey, without  
17       consideration, all right, title, and interest in and to  
18       the parcel of land described in paragraph (3) to the  
19       University of Nevada at Las Vegas Research Foun-  
20       dation (referred to in this section as “Foundation”)  
21       for the development of a technology research center.

22           (2) CONDITION.—The conveyance under para-  
23       graph (1) shall be subject to the condition that the  
24       Foundation enter into an agreement that if the land

1 described in paragraph (3) is sold, leased, or other-  
2 wise conveyed by the Foundation.

3 (A) the Foundation shall sell, lease, or oth-  
4 erwise convey the land for fair market value;

5 (B) the Foundation shall contribute 85  
6 percent of the gross proceeds from the sale,  
7 lease, or conveyance of the land to the special  
8 account;

9 (C) with respect to land identified on the  
10 map entitled “Las Vegas Valley, Nevada, Land  
11 Sales Map”, numbered 7306A, and dated May  
12 1980, the proceeds from the sale, lease, or con-  
13 veyance of the land identified on the map con-  
14 tributed to the special account by the Founda-  
15 tion under subparagraph (B) shall be used by  
16 the Secretary of Agriculture to acquire environ-  
17 mentally sensitive land in the Lake Tahoe  
18 Basin under section 3 of Public Law 96–586  
19 (94 Stat. 3383);

20 (D) the Foundation shall contribute 5 per-  
21 cent of the gross proceeds from the sale, lease,  
22 or conveyance of the land to the State of Ne-  
23 vada for use in the general education program  
24 of the State; and

1 (E) the remainder of the gross proceeds  
 2 from the sale, lease, or conveyance of the land  
 3 shall be available for use by the Foundation.

4 (3) DESCRIPTION OF LAND.—The parcel of  
 5 land referred to in paragraph (1) is the parcel of  
 6 Clark County Department of Aviation land—

7 (A) consisting of approximately 115 acres;  
 8 and

9 (B) located in the SAW<sup>1</sup>/<sub>4</sub> of section 33, T.  
 10 21 S., R. 60 E., Mount Diablo Base and Merid-  
 11 ian.

12 **SEC. 703. CONVEYANCE TO THE LAS VEGAS METROPOLI-**  
 13 **TAN POLICE DEPARTMENT.**

14 The Secretary shall convey to the Las Vegas Metro-  
 15 politan Police Department, without consideration, all  
 16 right, title, and interest in and to the parcel of land identi-  
 17 fied as “Tract F” on the map for use as a shooting range.

18 **SEC. 704. CONVEYANCE TO THE CITY OF HENDERSON FOR**  
 19 **THE NEVADA STATE COLLEGE AT HENDER-**  
 20 **SON.**

21 (a) DEFINITIONS.—In this section:

22 (1) CHANCELLOR.—The term “Chancellor”  
 23 means the Chancellor of the University system.

24 (2) CITY.—The term “City” means the city of  
 25 Henderson, Nevada.

1           (3) COLLEGE.—The term “College” means the  
2 Nevada State College at Henderson.

3           (4) SURVEY.—The term “survey means” the  
4 land survey required under Federal law to define the  
5 official metes and bounds of the parcel of Federal  
6 land identified as Tract H on the map.

7           (5) UNIVERSITY SYSTEM.—The term “Univer-  
8 sity system” means the University and Community  
9 College System of Nevada.

10          (b) CONVEYANCE.—

11           (1) IN GENERAL.—Notwithstanding the Federal  
12 Land Policy and Management Act of 1976 (43  
13 U.S.C. 1701 et seq.) and section 1(c) of the Act of  
14 June 14, 1926 (commonly known as the “Recreation  
15 and Public Purposes Act” ) (43 U.S.C. 869(c)), not  
16 later than 180 days after the date on which the sur-  
17 vey is approved, the Secretary shall convey to the  
18 City, without consideration, all right, title, and inter-  
19 est of the United States in and to the parcel of Fed-  
20 eral land identified as “Tract H” on the map for use  
21 as a campus for the College.

22           (2) CONDITIONS.—

23           (A) IN GENERAL.—As a condition of the  
24 conveyance under paragraph (1), the Chancellor  
25 and the City shall agree in writing—

1 (i) to pay any administrative costs as-  
2 sociated with the conveyance, including the  
3 costs of any environmental, wildlife, cul-  
4 tural, or historical resources studies;

5 (ii) to use the Federal land conveyed  
6 for educational and recreational purposes;

7 (iii) to release and indemnify the  
8 United States from any claims or liabilities  
9 which may arise from uses that are carried  
10 out on the Federal land on or before the  
11 date of enactment of this Act by the  
12 United States or any person;

13 (iv) as soon as practicable after the  
14 date of the conveyance under paragraph  
15 (1), to erect at the College an appropriate  
16 and centrally located monument that ac-  
17 knowledges the conveyance of the Federal  
18 land by the United States for the purpose  
19 of furthering the higher education of citi-  
20 zens in the State; and

21 (v) to assist the Bureau of Land Man-  
22 agement in providing information to the  
23 students of the College and the citizens of  
24 the State on—

25 (I) public land in the State; and

1 (II) the role of the Bureau of  
2 Land Management in managing, pre-  
3 serving, and protecting the public  
4 land.

5 (B) VALID EXISTING RIGHTS.—The con-  
6 veyance under paragraph (1) shall be subject to  
7 all valid existing rights.

8 (3) USE OF FEDERAL LAND.—

9 (A) IN GENERAL.—The College and the  
10 City may use the land conveyed under para-  
11 graph (1) for—

12 (i) any purpose relating to the estab-  
13 lishment, operation, growth, and mainte-  
14 nance of the College; and

15 (ii) any uses relating to such pur-  
16 poses, including residential and commercial  
17 development that would generally be asso-  
18 ciated with an institution of higher edu-  
19 cation.

20 (B) OTHER ENTITIES.—The College and  
21 the City may—

22 (i) consistent with Federal and State  
23 law, lease or otherwise provide property or  
24 space at the College, with or without con-  
25 sideration, to religious, public interest,

community, or other groups for services and events that are of interest to the College, the City, or any community located in the Las Vegas Valley;

(ii) allow the City or any other community in the Las Vegas Valley to use facilities of the College for educational and recreational programs of the City or community; and

(iii) in conjunction with the City, plan, finance, (including the provision of cost-share assistance), construct, and operate facilities for the City on the Federal land conveyed for educational or recreational purposes consistent with this section.

(4) REVERSION.—If the Federal land or any portion of the Federal land conveyed under paragraph (1) ceases to be used for the College, the Federal land or any portion of the Federal land shall, at the discretion of the Secretary, revert to the United States.

**SEC. 705. CONVEYANCE TO THE CITY OF LAS VEGAS, NEVADA.**

(a) DEFINITIONS.—In this section:

1           (1) CITY.—The term “City” means the city of  
2       Las Vegas, Nevada.

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

6           (b) CONVEYANCE.—The Secretary shall convey to the  
7       City, without consideration, all right, title, and interest of  
8       the United States in and to the parcels of land identified  
9       as “Tract C” and “Tract D” on the map.

10          (c) REVERSION.—If a parcel of land conveyed to the  
11       City under subsection (b) ceases to be used for affordable  
12       housing or for a purpose related to affordable housing, the  
13       parcel shall, at the discretion of the Secretary, revert to  
14       the United States.

15       **SEC. 706. SALE OF FEDERAL PARCEL.**

16          (a) IN GENERAL.—Notwithstanding sections 202 and  
17       203 of the Federal Land Policy and Management Act of  
18       1976 (43 U.S.C. 1712, 1713) and subject to valid existing  
19       rights, the Secretary shall convey as a single parcel to the  
20       highest qualified bidder all right, title, and interest of the  
21       United States in and to approximately 360 acres that is  
22       identified as the North Half (N<sup>1</sup>/<sub>2</sub>) of Section 7, Township  
23       23 South, Range 61 East, M.D.B.&M., Clark County, Ne-  
24       vada and the Northeast Quarter (NE<sup>1</sup>/<sub>4</sub>) of the Southeast



1 Quarter (SE<sup>1</sup>/<sub>4</sub>) of Section 7, Township 23 South, Range  
 2 61 East, M.D.M., Clark County, Nevada.

3 (b) DISPOSITION OF PROCEEDS.—The proceeds from  
 4 the conveyance of the lands described in subsection (a)  
 5 shall be deposited in accordance with section 4(e)(1) of  
 6 the Southern Nevada Public Land Management Act of  
 7 1998 (112 Stat. 2345).

## 8 **TITLE VIII—HUMBOLDT** 9 **PROJECT CONVEYANCE**

### 10 **SEC. 801. SHORT TITLE.**

11 This title may be cited as the “Humboldt Project  
 12 Conveyance Act”.

### 13 **SEC. 802. DEFINITIONS.**

14 For purposes of this title:

15 (1) SECRETARY.—The term “Secretary” means  
 16 the Secretary of the Interior.

17 (2) STATE.—The term “State” means the State  
 18 of Nevada.

19 (3) PCWCD.—The term “PCWCD” means the  
 20 Pershing County Water Conservation District, a  
 21 public entity organized under the laws of the State  
 22 of Nevada.

23 (4) PERSHING COUNTY.—The term “Pershing  
 24 County” means the Pershing County government, a  
 25 political subunit of the State of Nevada.

1           (5) LANDER COUNTY.—The term “Lander  
2       County” means the Lander County government, a  
3       political subunit of the State of Nevada.

4   **SEC. 803. AUTHORITY TO CONVEY TITLE.**

5       (a) IN GENERAL.—As soon as practicable after the  
6       date of enactment of this Act and in accordance with all  
7       applicable law, the Secretary shall convey all right, title,  
8       and interest in and to the lands and features of the Hum-  
9       boldt Project, as generally depicted on the map entitled  
10      the “Humboldt Project Conveyance Act”, and dated July  
11      3, 2002, including all water rights for storage and diver-  
12      sion, to PCWCD, the State, Pershing County, and Lander  
13      County, consistent with the terms and conditions set forth  
14      in the Memorandum of Agreement between PCWCD and  
15      Lander County dated January 24, 2000, the Conceptual  
16      Agreement between PCWCD and the State dated October  
17      18, 2001, the Letter of Agreement between Pershing  
18      County and the State dated April 16, 2002, and any  
19      agreements between the Bureau of Reclamation and  
20      PCWCD.

21      (b) MAP.—As soon as practicable after the date of  
22      the enactment of this Act, the Secretary shall submit to  
23      Congress a map of the Humboldt Project Conveyance. In  
24      case of a conflict between the map referred to in sub-  
25      section (a) and the map submitted by the Secretary, the

1 map referred to in subsection (b) shall control. The map  
2 shall have the same force and effect as if included in this  
3 Act, except that the Secretary may correct clerical and ty-  
4 pographical errors in such map and legal description. Cop-  
5 ies of the map shall be on file and available for public  
6 inspection in the Office of the Commissioner of the Bureau  
7 of Reclamation and in the office of the Area Manager of  
8 the Bureau of Reclamation in Carson City, Nevada.

9 (c) COMPLIANCE WITH AGREEMENTS.—All parties to  
10 the conveyance under subsection (a) shall comply with the  
11 terms and conditions of the agreements cited in subsection  
12 (a).

13 (d) REPORT.—If the conveyance required by this sec-  
14 tion has not been completed within 18 months after the  
15 date of enactment of this Act, the Secretary shall submit  
16 a report to the Committee on Resources of the House of  
17 Representatives and the Committee on Energy and Nat-  
18 ural Resources of the Senate that describes—

19 (1) the status of the conveyance;

20 (2) any obstacles to completion of the convey-  
21 ance; and

22 (3) the anticipated date for completion of the  
23 conveyance.

1 **SEC. 804. PAYMENT.**

2 (a) IN GENERAL.—As consideration for any convey-  
3 ance required by section 803, PCWCD shall pay to the  
4 United States the net present value of miscellaneous reve-  
5 nues associated with the lands and facilities to be con-  
6 veyed.

7 (b) WITHDRAWN LANDS.—As consideration for any  
8 conveyance of withdrawn lands required by section 803,  
9 the entity receiving title shall pay the United States (in  
10 addition to amounts paid under subsection (a)) the fair  
11 market value for any such lands conveyed that were with-  
12 drawn from the public domain pursuant to the Secretarial  
13 Orders dated March 16, 1934, and April 6, 1956.

14 (c) ADMINISTRATIVE COSTS.—Administrative costs  
15 for conveyance of any land or facility under this title shall  
16 be paid in equal shares by the Secretary and the entity  
17 receiving title to the land or facility, except costs identified  
18 in subsections (d) and (e).

19 (d) REAL ESTATE TRANSFER COSTS.—As a condi-  
20 tion of any conveyance of any land or facility required by  
21 section 803, costs of all boundary surveys, title searches,  
22 cadastral surveys, appraisals, maps, and other real estate  
23 transactions required for the conveyance shall be paid by  
24 the entity receiving title to the land or facility.

25 (e) NEPA COSTS.—Costs associated with any review  
26 required under the National Environmental Policy Act of

1 1969 (42 U.S.C. 4321 et seq.) for conveyance of any land  
2 or facility under section 803 shall be paid in equal shares  
3 by the Secretary and the entity receiving title to the land  
4 or facility.

5 (f) STATE OF NEVADA.—The State shall not be re-  
6 sponsible for any payments under this section. Any pro-  
7 posal by the State to reconvey to another entity land con-  
8 veyed by the Secretary under this title shall be pursuant  
9 to an agreement with the Secretary providing for fair mar-  
10 ket value to the United States for the lands, and for con-  
11 tinued management of the lands for recreation, wildlife  
12 habitat, wetlands, or resource conservation.

13 **SEC. 805. COMPLIANCE WITH OTHER LAWS.**

14 Following the conveyance required by section 803,  
15 the district, the State, Pershing County, and Lander  
16 County shall, with respect to the interests conveyed, com-  
17 ply with all requirements of Federal, State, and local law  
18 applicable to non-Federal water distribution systems.

19 **SEC. 806. REVOCATION OF WITHDRAWALS.**

20 Effective on the date of the conveyance required by  
21 section 803, the Secretarial Orders dated March 16, 1934,  
22 and April 6, 1956, that withdrew public lands for the Rye  
23 Patch Reservoir and the Humboldt Sink, are hereby re-  
24 voked.

1 **SEC. 807. LIABILITY.**

2       Effective on the date of the conveyance required by  
3 section 803, the United States shall not be held liable by  
4 any court for damages of any kind arising out of any act,  
5 omission, or occurrence relating to the Humboldt Project,  
6 except for damages caused by acts of negligence com-  
7 mitted by the United States or by its employees or agents  
8 prior to the date of conveyance. Nothing in this section  
9 shall be considered to increase the liability of the United  
10 States beyond that currently provided in chapter 171 of  
11 title 28, United States Code, popularly known as the  
12 “Federal Tort Claims Act”.

13 **SEC. 808. NATIONAL ENVIRONMENTAL POLICY ACT.**

14       Prior to any conveyance under this title, the Sec-  
15 retary shall complete all actions as may be required under  
16 the National Environmental Policy Act of 1969 (42 U.S.C.  
17 4321 et seq.), the Endangered Species Act of 1973 (16  
18 U.S.C. 1531 et seq.), and all other applicable laws.

19 **SEC. 809. FUTURE BENEFITS.**

20       Upon conveyance of the lands and facilities by the  
21 Secretary under this title, the Humboldt Project shall no  
22 longer be a Federal reclamation project and the district  
23 shall not be entitled to receive any future reclamation ben-  
24 efits with respect to that project, except those benefits  
25 that would be available to other nonreclamation districts.

**TITLE IX—MISCELLANEOUS  
PROVISIONS**

**SEC. 901. TECHNICAL AMENDMENTS TO THE MESQUITE  
LANDS ACT 2001.**

Section 3 of Public Law 99–548 (100 Stat. 3061;  
110 Stat. 3009–202) is amended—

(1) in subsection (d), by adding at the end the  
following:

“(3) USE OF PROCEEDS.—The proceeds of the  
sale of each parcel completed after the date of enact-  
ment of this subsection shall be deposited in the spe-  
cial account established under section 4(e)(1)(C) of  
the Southern Nevada Public Land Management Act  
of 1998 (112 Stat. 2345); and shall be available for  
use by the Secretary—

“(A) to reimburse costs incurred by the  
local offices of the Bureau of Land Manage-  
ment in arranging the land conveyances di-  
rected by this section;

“(B) for the development of a multispecies  
habitat conservation plan for the Virgin River  
in Clark County, Nevada, including any associ-  
ated groundwater monitoring plan; and

“(C) as provided in section 4(e)(3) of that  
Act (112 Stat. 2346).

1           “(4) TIMING.—Not later than 90 days after the  
2           date of enactment of this section, the Secretary shall  
3           complete the sale of any parcel authorized to be con-  
4           veyed pursuant to this section and for which the  
5           Secretary has received notification from the city  
6           under paragraph (1).”; and

7           (2) in subsection (f)(2)(B), by adding at the  
8           end the following:

9                         “(v) Sec. 7.”.

          Passed the House of Representatives October 16,  
2002.

Attest:

*Clerk.*



107TH CONGRESS  
2D SESSION

# H. R. 5200

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## AN ACT

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.