

112TH CONGRESS
2D SESSION

S. 3346

To provide for certain land conveyances in the State of Nevada, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 27, 2012

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

A BILL

To provide for certain land conveyances in the State of 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,*

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Las Vegas Valley Public Land and Tule Springs Fossil
6 Beds National Monument Act of 2012”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Tule Springs Fossil Beds National Monument.
- Sec. 3. Transfer of land to Red Rock Canyon National Conservation Area.
- Sec. 4. Conveyance of Bureau of Land Management land to North Las Vegas.

- Sec. 5. Conveyance of Bureau of Land Management land to Las Vegas.
- Sec. 6. Expansion of conveyance to Las Vegas Metropolitan Police Department.
- Sec. 7. Spring Mountains National Recreation Area withdrawal.
- Sec. 8. Southern Nevada Public Land Management Act of 1998 amendments.
- Sec. 9. Conveyance of land to the Nevada System of Higher Education.
- Sec. 10. Land conveyance for Southern Nevada Supplemental Airport.
- Sec. 11. Sunrise Mountain Instant Study Area release.
- Sec. 12. Nellis Dunes Off-Highway Vehicle Recreation Area.

1 **SEC. 2. TULE SPRINGS FOSSIL BEDS NATIONAL MONU-**
 2 **MENT.**

3 (a) FINDINGS.—Congress finds that—

4 (1) since 1933, the Upper Las Vegas Wash has
 5 been valued by scientists because of the significant
 6 paleontological fossils demonstrative of the Pleisto-
 7 cene Ice Age that are located in the area;

8 (2) in 2004, during the preparation of the Las
 9 Vegas Valley Disposal Boundary Final Environ-
 10 mental Impact Statement, the Bureau of Land Man-
 11 agement identified sensitive biological, cultural, and
 12 paleontological resources determined to be worthy of
 13 more evaluation with respect to the protective status
 14 of the resources;

15 (3) the Upper Las Vegas Wash contains thou-
 16 sands of Pleistocene mammal fossils of national im-
 17 portance, including Columbian mammoth, ground
 18 sloth, American lion, camels, and horse fossils;

19 (4) in addition to Joshua trees and several spe-
 20 cies of cacti, the Las Vegas buckwheat, Merriam's
 21 bearpoppy, Las Vegas bearpoppy, and the halfring

1 milkvetch are 4 unique and imperiled plants that are
2 supported in the harsh desert environment of Tule
3 Springs;

4 (5) the area provides important habitat for
5 threatened desert tortoise, endemic poppy bees, kit
6 foxes, burrowing owls, phainopepla, and a variety of
7 reptiles;

8 (6) in 2010, a National Park Service reconnais-
9 sance survey of the area determined that the area
10 likely contains the longest continuous section of
11 Pleistocene strata in the desert southwest, which
12 span multiple important global climate cooling and
13 warming episodes;

14 (7) the Upper Las Vegas Wash is significant to
15 the culture and history of the native and indigenous
16 people of the area, including the Southern Paiute
17 Tribe;

18 (8) despite the findings of the studies and rec-
19 ommendations for further assessment of the re-
20 sources for appropriate methods of protection—

21 (A) the area remains inadequately pro-
22 tected; and

23 (B) many irreplaceable fossil specimens in
24 the area have been lost to vandalism or theft;
25 and

1 (9) designation of the Upper Las Vegas Wash
2 site as a National Monument would protect the
3 unique fossil resources of the area for present and
4 future generations while allowing for public edu-
5 cation and continued scientific research opportuni-
6 ties.

7 (b) DEFINITIONS.—In this section:

8 (1) COUNCIL.—The term “Council” means the
9 Tule Springs Fossil Beds National Monument Advi-
10 sory Council established by subsection (f)(1).

11 (2) COUNTY.—The term “County” means Clark
12 County, Nevada.

13 (3) LOCAL GOVERNMENT.—The term “local
14 government” means the City of Las Vegas, City of
15 North Las Vegas, or the County.

16 (4) MANAGEMENT PLAN.—The term “manage-
17 ment plan” means the management plan for the
18 Monument developed under subsection (d)(3).

19 (5) MAP.—The term “Map” means the map en-
20 titled “North Las Vegas Valley Overview” and dated
21 June 26, 2012.

22 (6) MONUMENT.—The term “Monument”
23 means the Tule Springs Fossil Beds National Monu-
24 ment established by subsection (c)(1).

1 (7) PUBLIC LAND.—The term “public land”
2 has the meaning given the term “public lands” in
3 section 103 of the Federal Land Policy and Manage-
4 ment Act of 1976 (43 U.S.C. 1702).

5 (8) QUALIFIED ELECTRIC UTILITY.—The term
6 “qualified electric utility” means any public or pri-
7 vate utility determined by the Secretary to be tech-
8 nically and financially capable of developing the
9 transmission line.

10 (9) SECRETARY.—The term “Secretary” means
11 the Secretary of the Interior.

12 (10) STATE.—The term “State” means the
13 State of Nevada.

14 (c) ESTABLISHMENT.—

15 (1) IN GENERAL.—In order to conserve, pro-
16 tect, interpret, and enhance for the benefit of
17 present and future generations the unique and na-
18 tionally important paleontological, scientific, edu-
19 cational, and recreational resources and values of
20 the land described in this subsection, there is estab-
21 lished in the State the Tule Springs Fossil Beds Na-
22 tional Monument.

23 (2) BOUNDARIES.—The Monument shall consist
24 of approximately 22,650 acres of public land in the

County within the boundaries generally depicted on the Map.

(3) MAP; LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare an official map and legal description of the boundaries of the Monument.

(B) LEGAL EFFECT.—The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical or typographical errors in the legal description or the map.

(C) AVAILABILITY OF MAP AND LEGAL DESCRIPTION.—The map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

(4) MINOR BOUNDARY ADJUSTMENTS.—The Secretary may make minor boundary adjustments to the Monument to include additional public land adjacent to the Monument, if, after the date of enactment of this Act—

1 (A) additional paleontological resources are
2 discovered on the adjacent public land; and

3 (B) a Federal agency, State agency, and
4 local government requests that the adjacent
5 public land be included in the Monument to
6 promote the consistent management of re-
7 sources.

8 (5) ACQUISITION OF LAND.—

9 (A) IN GENERAL.—Subject to subpara-
10 graph (B), the Secretary may acquire land or
11 interests in land within or adjacent to the
12 boundaries of the Monument by donation, pur-
13 chase with donated or appropriated funds, ex-
14 change, or transfer from another Federal agen-
15 cy.

16 (B) LIMITATION.—Land or interests in
17 land that are owned by the State or a political
18 subdivision of the State may be acquired under
19 subparagraph (A) only by donation or ex-
20 change.

21 (6) WITHDRAWALS.—Subject to valid existing
22 rights and subsection (e), any land within the Monu-
23 ment or any land or interest in land that is acquired
24 by the United States for inclusion in the Monument

1 after the date of enactment of this Act is withdrawn
 2 from—

3 (A) entry, appropriation, or disposal under
 4 the public land laws;

5 (B) location, entry, and patent under the
 6 mining laws; and

7 (C) operation of the mineral leasing laws,
 8 geothermal leasing laws, and minerals materials
 9 laws.

10 (7) EFFECT ON OVERFLIGHTS.—Nothing in
 11 this Act or the management plan developed for the
 12 Monument restricts or precludes—

13 (A) overflights (including low-level military
 14 and law enforcement overflights) over land in
 15 the Monument, including military, law enforce-
 16 ment, commercial, and general aviation over-
 17 flights that can be seen or heard in the Monu-
 18 ment; or

19 (B) the designation or creation of new
 20 units of special use airspace or the establish-
 21 ment of military flight training routes over the
 22 Monument.

23 (d) ADMINISTRATION.—

24 (1) TRANSFER OF ADMINISTRATIVE JURISDIC-
 25 TION.—Administrative jurisdiction over the approxi-

1 mately 22,650 acres of public land depicted on the
2 Map as “Tule Springs Fossil Bed National Monu-
3 ment” is transferred from the Director of the Bu-
4 reau of Land Management to the Director of the
5 National Park Service.

6 (2) MANAGEMENT.—The Secretary shall—

7 (A) allow only such uses of the Monument
8 that—

9 (i) are consistent with this section;

10 and

11 (ii) the Secretary determines would
12 further the purposes of the Monument;

13 and

14 (B) manage the Monument—

15 (i) in a manner that conserves, pro-
16 tects, interprets, and enhances the re-
17 sources and values of the Monument; and

18 (ii) in accordance with—

19 (I) this section;

20 (II) the provisions of laws gen-
21 erally applicable to units of the Na-
22 tional Park System (including the Na-
23 tional Park Service Organic Act (16
24 U.S.C. 1 et seq.)); and

25 (III) any other applicable laws.

1 (3) BUFFER ZONES.—The establishment of the
2 Monument shall not—

3 (A) lead to the creation of express or im-
4 plied protective perimeters or buffer zones
5 around or over the Monument;

6 (B) preclude disposal of public land adja-
7 cent to the boundaries of the Monument, if the
8 disposal is consistent with other applicable law;

9 (C) preclude an activity on, or use of, pri-
10 vate land adjacent to the boundaries of the
11 Monument, if the activity or use is consistent
12 with other applicable law; or

13 (D) directly or indirectly subject an activ-
14 ity on, or use of, private land, to additional reg-
15 ulation, if the activity or use is consistent with
16 other applicable law.

17 (4) AIR AND WATER QUALITY.—Nothing in this
18 Act alters the standards governing air or water qual-
19 ity outside the boundary of the Monument.

20 (5) MANAGEMENT PLAN.—

21 (A) IN GENERAL.—Not later than 3 years
22 after the date of enactment of this Act, the Sec-
23 retary shall develop a management plan that
24 provides for the long-term protection and man-
25 agement of the Monument.

1 (B) COMPONENTS.—The management
2 plan—

3 (i) shall, consistent with this section
4 and the purposes of the Monument—

5 (I) describe the resources at the
6 Monument that are to be protected;

7 (II) describe the appropriate uses
8 and management of the Monument;

9 (III) allow for continued sci-
10 entific research at the Monument; and

11 (IV) include a travel management
12 plan that may include existing public
13 transit; and

14 (ii) may—

15 (I) incorporate any appropriate
16 decisions contained in an existing
17 management or activity plan for the
18 land designated as the Monument
19 under subsection (c)(1); and

20 (II) use information developed in
21 any study of land within, or adjacent
22 to, the boundary of the Monument
23 that was conducted before the date of
24 enactment of this Act.

1 (C) PUBLIC PROCESS.—In preparing the
2 management plan, the Secretary shall—

3 (i) consult with, and take into account
4 the comments and recommendations of, the
5 Council;

6 (ii) provide an opportunity for public
7 involvement in the preparation and review
8 of the management plan, including holding
9 public meetings; and

10 (iii) consider public comments received
11 as part of the public review and comment
12 process of the management plan.

13 (6) INTERPRETATION, EDUCATION, AND SCI-
14 ENTIFIC RESEARCH.—

15 (A) IN GENERAL.—The Secretary shall
16 provide for public interpretation of, and edu-
17 cation and scientific research on, the paleon-
18 tological resources of the Monument, with pri-
19 ority given to exhibiting and curating the re-
20 sources.

21 (B) COOPERATIVE AGREEMENTS.—The
22 Secretary may enter into cooperative agree-
23 ments with the State, political subdivisions of
24 the State, nonprofit organizations, and appro-

1 priate public and private entities to carry out
2 subparagraph (A).

3 (e) RENEWABLE ENERGY TRANSMISSION FACILI-
4 TIES.—

5 (1) IN GENERAL.—On receipt of a complete ap-
6 plication from a qualified electric utility, the Sec-
7 retary, in accordance with the National Environ-
8 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.),
9 shall issue to the qualified electric utility a 400-foot
10 right-of-way for the construction and maintenance of
11 high-voltage transmission facilities depicted on the
12 Map as “Renewable Energy Transmission Corridor”.

13 (2) REQUIREMENTS.—

14 (A) IN GENERAL.—The high-voltage trans-
15 mission facilities shall—

16 (i) be used—

17 (I) primarily, to the maximum
18 extent practicable, for renewable en-
19 ergy resources; and

20 (II) to meet reliability standards
21 set by the North American Reliability
22 Electric Corporation, the Western
23 Electricity Coordinating Council, or
24 the public utilities regulator of the
25 State; and

1 (ii) employ best management practices
2 identified as part of the compliance of the
3 Secretary with the National Environmental
4 Policy Act of 1969 (42 U.S.C. 4321 et
5 seq.) to limit impacts on the Monument,
6 including impacts to the viewshed.

7 (B) CAPACITY.—The Secretary shall con-
8 sult with the qualified electric utility that is
9 issued the right-of-way under paragraph (1)
10 and the public utilities regulator of the State to
11 seek to maximize the capacity of the high-volt-
12 age transmission facilities.

13 (3) TERMS AND CONDITIONS.—The issuance of
14 a notice to proceed on the construction of the high-
15 voltage transmission facilities within the right-of-way
16 under paragraph (1) shall be subject to terms and
17 conditions that the Secretary (in consultation with
18 the qualified electric utility), as part of the compli-
19 ance of the Secretary with the National Environ-
20 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.),
21 determines appropriate to protect and conserve the
22 resources for which the Monument is managed.

23 (4) EXPIRATION OF RIGHT-OF-WAY.—The
24 right-of-way issued under paragraph (1) shall expire
25 on the date that is 15 years after the date of enact-

1 ment of this Act if construction of the high-voltage
 2 transmission facilities described in paragraph (1)
 3 has not been initiated by that date, unless the Sec-
 4 retary determines that it is in the public interest to
 5 continue the right-of-way.

6 (f) TULE SPRINGS FOSSIL BEDS NATIONAL MONU-
 7 MENT ADVISORY COUNCIL.—

8 (1) ESTABLISHMENT.—To provide guidance for
 9 the management of the Monument, there is estab-
 10 lished the Tule Springs Fossil Beds National Monu-
 11 ment Advisory Council.

12 (2) MEMBERSHIP.—

13 (A) COMPOSITION.—The Council shall con-
 14 sist of 13 members, to be appointed by the Sec-
 15 retary, of whom—

16 (i) 1 member shall be a member of, or
 17 be nominated by, the County Commission;

18 (ii) 1 member shall be a member of,
 19 or be nominated by, the city council of Las
 20 Vegas, Nevada;

21 (iii) 1 member shall be a member of,
 22 or be nominated by, the city council of
 23 North Las Vegas, Nevada;

1 (iv) 1 member shall be a member of,
2 or be nominated by, the tribal council of
3 the Las Vegas Paiute Tribe;

4 (v) 1 member shall be a representative
5 of the conservation community in southern
6 Nevada;

7 (vi) 1 member shall be a representa-
8 tive of, or be nominated by, the Director of
9 the Bureau of Land Management;

10 (vii) 1 member shall be a representa-
11 tive of, or be nominated by, the Director of
12 the United States Fish and Wildlife Serv-
13 ice;

14 (viii) 1 member shall be a representa-
15 tive of, or be nominated by, the Director of
16 the National Park Service;

17 (ix) 1 member shall be a representa-
18 tive of Nellis Air Force Base;

19 (x) 1 member shall be nominated by
20 the State;

21 (xi) 1 member shall reside in the
22 County and have a background that re-
23 flects the purposes for which the Monu-
24 ment was established; and

1 (xii) 2 members shall reside in the
2 County, both of whom shall have experi-
3 ence in the field of paleontology, obtained
4 through higher education, experience, or
5 both.

6 (B) INITIAL APPOINTMENT.—Not later
7 than 180 days after the date of enactment of
8 this Act, the Secretary shall appoint the initial
9 members of the Council in accordance with sub-
10 paragraph (A).

11 (3) DUTIES OF THE COUNCIL.—The Council
12 shall advise the Secretary with respect to—

13 (A) the preparation and implementation of
14 the management plan; and

15 (B) other issues related to the manage-
16 ment of the Monument (including budgetary
17 matters).

18 (4) COMPENSATION.—Members of the Council
19 shall receive no compensation for serving on the
20 Council.

21 (5) CHAIRPERSON.—

22 (A) IN GENERAL.—Subject to subpara-
23 graph (B), the Council shall elect a Chairperson
24 from among the members of the Council.

1 (B) LIMITATION.—The Chairperson shall
2 not be a member of a Federal or State agency.

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

5 (6) TERM OF MEMBERS.—

6 (A) IN GENERAL.—The term of a member
7 of the Council shall be 3 years.

8 (B) SUCCESSORS.—Notwithstanding the
9 expiration of a 3-year term of a member of the
10 Council, a member may continue to serve on
11 the Council until—

12 (i) the member is reappointed by the
13 Secretary; or

14 (ii) a successor is appointed.

15 (7) VACANCIES.—

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

19 (B) APPOINTMENT FOR REMAINDER OF
20 TERM.—A member appointed to fill a vacancy
21 on the Council—

22 (i) shall serve for the remainder of the
23 term for which the predecessor was ap-
24 pointed; and

1 (ii) may be nominated for a subse-
 2 quent term.

3 (8) TERMINATION.—Unless an extension is
 4 jointly recommended by the Director of the National
 5 Park Service and the Director of the Bureau of
 6 Land Management, the Council shall terminate on
 7 the date that is 6 years after the date of enactment
 8 of this Act.

9 (g) AUTHORIZATION OF APPROPRIATIONS.—There
 10 are authorized to be appropriated such sums as are nec-
 11 essary to carry out this section.

12 **SEC. 3. TRANSFER OF LAND TO RED ROCK CANYON NA-**
 13 **TIONAL CONSERVATION AREA.**

14 (a) DEFINITIONS.—In this section:

15 (1) CONSERVATION AREA.—The term “Con-
 16 servation Area” means the Red Rock Canyon Na-
 17 tional Conservation Area established by the Red
 18 Rock Canyon National Conservation Area Establish-
 19 ment Act of 1990 (16 U.S.C. 460ccc et seq.).

20 (2) MAP.—The term “map” means the map en-
 21 titled “North Las Vegas Valley Overview” and dated
 22 June 26, 2012.

23 (3) SECRETARY.—The term “Secretary” means
 24 the Secretary of the Interior, acting through the Bu-
 25 reau of Land Management.

1 (b) TRANSFER OF LAND TO CONSERVATION AREA.—

2 (1) IN GENERAL.—As soon as practicable after
3 the date of enactment of this Act, subject to valid
4 existing rights, and notwithstanding the land use
5 planning requirements of sections 202 and 203 of
6 the Federal Land Policy and Management Act of
7 1976 (43 U.S.C. 1712, 1713), the Secretary shall
8 add to, and administer as part of, the Conservation
9 Area, in accordance with the laws (including regula-
10 tions) applicable to the Conservation Area, the land
11 described in paragraph (2).

12 (2) DESCRIPTION OF LAND.—The land referred
13 to in paragraph (1) consists of approximately 1,530
14 acres of land managed by the Bureau of Land Man-
15 agement described on the map as “Additions to Red
16 Rock NCA”.

17 (3) MANAGEMENT PLAN.—Not later than 2
18 years after the date on which the land is acquired,
19 the Secretary shall update the management plan for
20 the Conservation Area to reflect the management re-
21 quirements of the acquired land.

22 (4) MAP AND LEGAL DESCRIPTION.—

23 (A) IN GENERAL.—As soon as practicable
24 after the date of enactment of this Act, the Sec-

retary shall finalize the legal description of the parcel to be conveyed under this section.

(B) MINOR ERRORS.—The Secretary may correct any minor error in—

(i) the map; or

(ii) the legal description.

(C) 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.

SEC. 4. CONVEYANCE OF BUREAU OF LAND MANAGEMENT

LAND TO NORTH LAS VEGAS.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “map” means the map entitled “North Las Vegas Valley Overview” and dated June 26, 2012.

(2) NORTH LAS VEGAS.—The term “North Las Vegas” means the city of North Las Vegas, Nevada.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.

(b) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights, and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy

1 and Management Act of 1976 (43 U.S.C. 1712, 1713),
2 the Secretary shall convey to North Las Vegas, without
3 consideration, all right, title, and interest of the United
4 States in and to the land described in subsection (c).

5 (c) DESCRIPTION OF LAND.—The land referred to in
6 subsection (b) consists of land managed by the Bureau
7 of Land Management described on the map as the “North
8 Las Vegas Job Creation Zone”.

9 (d) MAP AND LEGAL DESCRIPTION.—

10 (1) IN GENERAL.—As soon as practicable after
11 the date of enactment of this Act, the Secretary
12 shall finalize the legal description of the parcel to be
13 conveyed under this section.

14 (2) MINOR ERRORS.—The Secretary may cor-
15 rect any minor error in—

16 (A) the map; or

17 (B) the legal description.

18 (3) AVAILABILITY.—The map and legal descrip-
19 tion shall be on file and available for public inspec-
20 tion in the appropriate offices of the Bureau of
21 Land Management.

22 (e) USE OF LAND FOR NONRESIDENTIAL DEVELOP-
23 MENT.—

24 (1) IN GENERAL.—North Las Vegas may sell,
25 lease, or otherwise convey any portion of the land

1 described in subsection (c) for nonresidential devel-
 2 opment.

3 (2) METHOD OF SALE.—The sale, lease, or con-
 4 veyance of land under paragraph (1) shall be carried
 5 out—

6 (A) through a competitive bidding process;
 7 and

8 (B) for not less than fair market value.

9 (3) DISPOSITION OF PROCEEDS.—The gross
 10 proceeds from the sale, lease, or conveyance of land
 11 under paragraph (1) shall be distributed in accord-
 12 ance with section 4(e) of the Southern Nevada Pub-
 13 lic Land Management Act of 1998 (Public Law
 14 105–263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat.
 15 1317; 118 Stat. 2414; 120 Stat. 3045).

16 (f) USE OF LAND FOR RECREATION OR OTHER PUB-
 17 LIC PURPOSES.—

18 (1) IN GENERAL.—North Las Vegas may retain
 19 a portion of the land described in subsection (c) for
 20 public recreation or other public purposes consistent
 21 with the Act of June 14, 1926 (commonly known as
 22 the “Recreation and Public Purposes Act”) (43
 23 U.S.C. 869 et seq.) by providing written notice of
 24 the election to the Secretary.

1 (2) REVOCATION.—If North Las Vegas retains
2 land for public recreation or other public purposes
3 under paragraph (1), North Las Vegas may—

4 (A) revoke that election; and

5 (B) sell, lease, or convey the land in ac-
6 cordance with subsection (e).

7 (g) ADMINISTRATIVE COSTS.—The Secretary shall
8 require North Las Vegas to pay all survey costs and other
9 administrative costs necessary for the preparation and
10 completion of any patents for, and transfers of title to,
11 the land described in subsection (c).

12 (h) REVERSION.—

13 (1) IN GENERAL.—If any parcel of land de-
14 scribed in subsection (c) is not conveyed for nonresi-
15 dential development under this section or reserved
16 for recreation or other public purposes under sub-
17 paragraph (f) by the date that is 30 years after the
18 date of enactment of this Act, the parcel of land
19 shall, at the discretion of the Secretary, revert to the
20 United States.

21 (2) INCONSISTENT USE.—If North Las Vegas
22 uses any parcel of land described in subsection (c)
23 in a manner that is inconsistent with this section—

24 (A) at the discretion of the Secretary, the
25 parcel shall revert to the United States; or

1 (B) if the Secretary does not make an elec-
2 tion under subparagraph (A), North Las Vegas
3 shall sell the parcel of land in accordance with
4 this section.

5 **SEC. 5. CONVEYANCE OF BUREAU OF LAND MANAGEMENT**
6 **LAND TO LAS VEGAS.**

7 (a) DEFINITIONS.—In this section:

8 (1) LAS VEGAS.—The term “Las Vegas” means
9 the city of Las Vegas, Nevada.

10 (2) MAP.—The term “map” means the map en-
11 titled “North Las Vegas Valley Overview” and dated
12 June 26, 2012.

13 (3) SECRETARY.—The term “Secretary” means
14 the Secretary of the Interior, acting through the Bu-
15 reau of Land Management.

16 (b) IN GENERAL.—As soon as practicable after the
17 date of enactment of this Act, subject to valid existing
18 rights, and notwithstanding the land use planning require-
19 ments of sections 202 and 203 of the Federal Land Policy
20 and Management Act of 1976 (43 U.S.C. 1712, 1713),
21 the Secretary shall convey to Las Vegas, without consider-
22 ation, all right, title, and interest of the United States in
23 and to the land described in subsection (c).

24 (c) DESCRIPTION OF LAND.—The land referred to in
25 subsection (b) consists of land managed by the Bureau

1 of Land Management described on the map as “Las Vegas
2 Job Creation Zone”.

3 (d) MAP AND LEGAL DESCRIPTION.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary
6 shall finalize the legal description of the parcel to be
7 conveyed under this section.

8 (2) MINOR ERRORS.—The Secretary may cor-
9 rect any minor error in—

10 (A) the map; or

11 (B) the legal description.

12 (3) AVAILABILITY.—The map and legal descrip-
13 tion shall be on file and available for public inspec-
14 tion in the appropriate offices of the Bureau of
15 Land Management.

16 (e) USE OF LAND.—

17 (1) IN GENERAL.—Las Vegas may sell, lease, or
18 otherwise convey any portion of the land described
19 in subsection (c) for nonresidential development.

20 (2) METHOD OF SALE.—The sale, lease, or con-
21 veyance of land under paragraph (1) shall be carried
22 out, after consultation with the Las Vegas Paiute
23 Tribe—

24 (A) through a competitive bidding process;

25 and

1 (B) for not less than fair market value.

2 (3) DISPOSITION OF PROCEEDS.—The gross
3 proceeds from the sale, lease, or conveyance of land
4 under paragraph (1) shall be distributed in accord-
5 ance with section 4(e) of the Southern Nevada Pub-
6 lic Land Management Act of 1998 (Public Law
7 105–263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat.
8 1317; 118 Stat. 2414; 120 Stat. 3045).

9 (f) USE OF LAND FOR RECREATION OR OTHER PUB-
10 LIC PURPOSES.—

11 (1) IN GENERAL.—Las Vegas may retain a por-
12 tion of the land described in subsection (c) for public
13 recreation or other public purposes consistent with
14 the Act of June 14, 1926 (commonly known as the
15 “Recreation and Public Purposes Act”) (43 U.S.C.
16 869 et seq.) by providing written notice of the elec-
17 tion to the Secretary.

18 (2) REVOCATION.—If Las Vegas retains land
19 for public recreation or other public purposes under
20 paragraph (1), Las Vegas may—

21 (A) revoke that election; and

22 (B) sell, lease, or convey the land in ac-
23 cordance with subsection (e).

24 (g) ADMINISTRATIVE COSTS.—The Secretary shall
25 require Las Vegas to pay all survey costs and other admin-

1 istrative costs necessary for the preparation and comple-
 2 tion of any patents for, and transfers of title to, the land
 3 described in subsection (c).

4 (h) REVERSION.—

5 (1) IN GENERAL.—If any parcel of land de-
 6 scribed in subsection (c) is not conveyed for nonresi-
 7 dential development under this section or reserved
 8 for recreation or other public purposes under sub-
 9 section (f) by the date that is 30 years after the date
 10 of enactment of this Act, the parcel of land shall, at
 11 the discretion of the Secretary, revert to the United
 12 States.

13 (2) INCONSISTENT USE.—If Las Vegas uses
 14 any parcel of land described in subsection (c) in a
 15 manner that is inconsistent with this section—

16 (A) at the discretion of the Secretary, the
 17 parcel shall revert to the United States; or

18 (B) if the Secretary does not make an elec-
 19 tion under subparagraph (A), Las Vegas shall
 20 sell the parcel of land in accordance with this
 21 section.

22 **SEC. 6. EXPANSION OF CONVEYANCE TO LAS VEGAS MET-**
 23 **ROPOLITAN POLICE DEPARTMENT.**

24 Section 703 of the Clark County Conservation of
 25 Public Land and Natural Resources Act of 2002 (Public

1 Law 107–282; 116 Stat. 2013) is amended by inserting
 2 before the period at the end the following: “and the parcel
 3 of land identified as ‘Conveyance to Las Vegas for Police
 4 Shooting Range Access’ on the map entitled ‘North Las
 5 Vegas Valley Overview’, and dated June 26, 2012, for the
 6 development of an access road and parking facilities”.

7 **SEC. 7. SPRING MOUNTAINS NATIONAL RECREATION AREA**
 8 **WITHDRAWAL.**

9 Section 8 of the Spring Mountains National Recre-
 10 ation Area Act (16 U.S.C. 460hhh–6) is amended—

11 (1) in subsection (a), by striking “for lands de-
 12 scribed” and inserting “as provided”; and

13 (2) by striking subsection (b) and inserting the
 14 following:

15 “(b) EXCEPTIONS.—

16 “(1) IN GENERAL.—Notwithstanding subsection
 17 (a), W¹/₂E¹/₂ and W¹/₂, sec. 27, T23S, R58E, Mt.
 18 Diablo Meridian is not subject to withdrawal under
 19 that subsection.

20 “(2) EFFECT OF ENTRY UNDER PUBLIC LAND
 21 LAWS.—Notwithstanding paragraph (1) of sub-
 22 section (a), the following are not subject to with-
 23 drawal under that paragraph:

24 “(A) Any Federal land in the Recreation
 25 Area that qualifies for conveyance under Public

1 Law 97–465 (commonly known as the “Small
 2 Tracts Act”) (16 U.S.C. 521c et seq.), which,
 3 notwithstanding section 7 of that Act (16
 4 U.S.C. 521i), may be conveyed under that Act.

5 “(B) Any Federal land in the Recreation
 6 Area that the Secretary determines to be appro-
 7 priate for conveyance by exchange for non-Fed-
 8 eral land within the Recreation Area under au-
 9 thorities generally providing for the exchange of
 10 National Forest System land.”.

11 **SEC. 8. SOUTHERN NEVADA PUBLIC LAND MANAGEMENT**
 12 **ACT OF 1998 AMENDMENTS.**

13 Section 4 of the Southern Nevada Public Land Man-
 14 agement Act of 1998 (Public Law 105–263; 112 Stat.
 15 2344; 116 Stat. 2007) is amended—

16 (1) in the first sentence of subsection (a), by
 17 striking “dated October 1, 2002” and inserting
 18 “dated June 26, 2012”; and

19 (2) in subsection (g), by adding at the end the
 20 following:

21 “(5) Notwithstanding paragraph (4), subject to
 22 paragraphs (1) through (3), Clark County may con-
 23 vey to a unit of local government or regional govern-
 24 mental entity, without consideration, land located
 25 within the Airport Environs Overlay District (as of

1 the date of enactment of this paragraph) if the land
 2 is used for a public purpose consistent with uses al-
 3 lowed under the Act of June 14, 1926 (commonly
 4 known as the ‘Recreation and Public Purposes Act’)
 5 (43 U.S.C. 869 et seq.), provided that if the con-
 6 veyed land is used for a purpose other than a public
 7 purpose, paragraph (4) would apply to the convey-
 8 ance.”.

9 **SEC. 9. CONVEYANCE OF LAND TO THE NEVADA SYSTEM OF**
 10 **HIGHER EDUCATION.**

11 (a) DEFINITIONS.—In this section:

12 (1) BOARD OF REGENTS.—The term “Board of
 13 Regents” means the Board of Regents of the Ne-
 14 vada System of Higher Education.

15 (2) CAMPUSES.—The term “Campuses” means
 16 the Great Basin College, College of Southern Ne-
 17 vada, and University of Las Vegas, Nevada, cam-
 18 puses.

19 (3) FEDERAL LAND.—The term “Federal land”
 20 means each of the 3 parcels of Bureau of Land
 21 Management land identified on the maps as “Parcel
 22 to be Conveyed”, of which—

23 (A) approximately 40 acres is to be con-
 24 veyed for the College of Southern Nevada;

1 (B) approximately 2,085 acres is to be
 2 conveyed for the University of Nevada, Las
 3 Vegas; and

4 (C) approximately 285 acres is to be con-
 5 veyed for the Great Basin College.

6 (4) SECRETARY.—The term “Secretary” means
 7 the Secretary of the Interior.

8 (5) STATE.—The term “State” means the State
 9 of Nevada.

10 (6) SYSTEM.—The term “System” means the
 11 Nevada System of Higher Education.

12 (b) CONVEYANCES OF FEDERAL LAND TO THE SYS-
 13 TEM.—

14 (1) CONVEYANCES.—

15 (A) IN GENERAL.—Notwithstanding sec-
 16 tion 202 of the Federal Land Policy and Man-
 17 agement Act of 1976 (43 U.S.C. 1712) and sec-
 18 tion 1(c) of the Act of June 14, 1926 (com-
 19 monly known as the “Recreation and Public
 20 Purposes Act”) (43 U.S.C. 869(c)) and subject
 21 to all valid existing rights, the Secretary shall—

22 (i) not later than 180 days after the
 23 date of enactment of this Act, convey to
 24 the System, without consideration, all

1 right, title, and interest of the United
2 States in and to—

3 (I) the Federal land identified on
4 the map entitled “Great Basin College
5 Land Conveyance” and dated June
6 26, 2012, for the Great Basin College;
7 and

8 (II) the Federal land identified
9 on the map entitled “College of
10 Southern Nevada Land Conveyance”
11 and dated June 26, 2012, for the Col-
12 lege of Southern Nevada, subject to
13 the requirement that, as a pre-
14 condition of the conveyance, the
15 Board of Regents shall, by mutual as-
16 sent, enter into a binding development
17 agreement with the City of Las Vegas
18 that—

19 (aa) provides for the orderly
20 development of the Federal land
21 to be conveyed under this sub-
22 clause; and

23 (bb) complies with State
24 law; and

(ii) not later than 180 days after the receipt of certification of acceptable remediation of environmental conditions existing on the parcel to be conveyed for the University of Nevada, Las Vegas, convey to the System, without consideration, all right, title, and interest of the United States in and to the Federal land identified on the map entitled “North Las Vegas Valley Overview” and dated June 26, 2012 for the University of Nevada, Las Vegas, if the area identified as “Potential Utility Schedule” on the map is reserved for use for a potential future 400-foot utility corridor of certain rights-of-way for transportation and public utilities.

(B) PHASES.—The Secretary may phase the conveyance of the Federal land under subparagraph (A)(ii) as remediation is completed.

(2) CONDITIONS.—

(A) IN GENERAL.—As a condition of the conveyance under paragraph (1)(A), the Board of Regents shall agree in writing—

(i) to pay any administrative costs associated with the conveyance, including the

costs of any environmental, wildlife, cultural, or historical resources studies;

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

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

(iv) to assist the Bureau of Land Management in providing information to the students of the System and the citizens of the State on—

(I) public land (including the management of public land) in the Nation; and

(II) the role of the Bureau of Land Management in managing, preserving, and protecting the public land in the State.

(B) AGREEMENT WITH NELLIS AIR FORCE BASE.—

(i) IN GENERAL.—The Federal land conveyed to the System under paragraph

(1)(A)(ii) shall be used in accordance with the agreement entitled the “Cooperative Interlocal Agreement between the Board of Regents of the Nevada System of Higher Education, on Behalf of the University of Nevada, Las Vegas, and the 99th Air Base Wing, Nellis Air Force Base, Nevada” and dated June 19, 2009.

(ii) MODIFICATIONS.—Any modifications to the agreement described in clause (i) or any related master plan shall require the mutual assent of the parties to the agreement.

(iii) LIMITATION.—In no case shall the use of the Federal land conveyed under paragraph (1)(A)(ii) compromise the national security mission or aviation rights of Nellis Air Force Base.

(3) USE OF FEDERAL LAND.—

(A) IN GENERAL.—The System may use the Federal land conveyed under paragraph (1)(A) for—

(i) any purpose relating to the establishment, operation, growth, and maintenance of the System; and

1 (ii) any uses relating to the purposes,
2 including residential and commercial devel-
3 opment that would generally be associated
4 with an institution of higher education.

5 (B) OTHER ENTITIES.—The System
6 may—

7 (i) consistent with Federal and State
8 law, lease, or otherwise provide property or
9 space at, the Campuses, with or without
10 consideration, to religious, public interest,
11 community, or other groups for services
12 and events that are of interest to the Sys-
13 tem or to any community located in south-
14 ern Nevada;

15 (ii) allow any other communities in
16 southern Nevada to use facilities of the
17 Campuses for educational and recreational
18 programs of the community; and

19 (iii) in conjunction with the city of
20 Las Vegas, North Las Vegas, or Pahrump
21 or Clark or Nye County plan, finance (in-
22 cluding through the provision of cost-share
23 assistance), construct, and operate facili-
24 ties for the city of Las Vegas, North Las
25 Vegas, or Pahrump or Clark or Nye Coun-

1 ty on the Federal land conveyed for edu-
 2 cational or recreational purposes consistent
 3 with this subsection.

4 (4) REVERSION.—

5 (A) IN GENERAL.—If the Federal land or
 6 any portion of the Federal land conveyed under
 7 paragraph (1)(A) ceases to be used for the Sys-
 8 tem, the Federal land, or any portion of the
 9 Federal land shall, at the discretion of the Sec-
 10 retary, revert to the United States.

11 (B) UNIVERSITY OF NEVADA, LAS
 12 VEGAS.—If the System fails to complete the
 13 first building or show progression toward devel-
 14 opment of the University of Nevada, Las Vegas
 15 campus on the applicable parcels of Federal
 16 land by the date that is 50 years after the date
 17 of receipt of certification of acceptable remedi-
 18 ation of environmental conditions, the parcels of
 19 the Federal land described in subsection
 20 (a)(3)(B) shall, at the discretion of the Sec-
 21 retary, revert to the United States.

22 (c) AUTHORIZATION OF APPROPRIATIONS.—There
 23 are authorized to be appropriated such sums as are nec-
 24 essary to carry out this section.

1 **SEC. 10. LAND CONVEYANCE FOR SOUTHERN NEVADA SUP-**
2 **PLEMENTAL AIRPORT.**

3 (a) DEFINITIONS.—In this section:

4 (1) COUNTY.—The term “County” means Clark
5 County, Nevada.

6 (2) MAP.—The term “Map” means the map en-
7 titled “Land Conveyance for Southern Nevada Sup-
8 plemental Airport” and dated June 26, 2012.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (b) LAND CONVEYANCE.—

12 (1) IN GENERAL.—As soon as practicable after
13 the date described in paragraph (2), subject to valid
14 existing rights, and notwithstanding the land use
15 planning requirements of sections 202 and 203 of
16 the Federal Land Policy and Management Act of
17 1976 (43 U.S.C. 1712, 1713), the Secretary shall
18 convey to the County, without consideration, all
19 right, title, and interest of the United States in and
20 to the land described in subsection (c).

21 (2) DATE ON WHICH CONVEYANCE MAY BE
22 MADE.—The Secretary shall not make the convey-
23 ance described in paragraph (1) until the later of
24 the date on which the Administrator of the Federal
25 Aviation Administration has—

1 (A) approved an airport layout plan for an
 2 airport to be located in the Ivanpah Valley; and

3 (B) with respect to the construction and
 4 operation of an airport on the site conveyed to
 5 the County pursuant to section 2(a) of the
 6 Ivanpah Valley Airport Public Lands Transfer
 7 Act (Public Law 106–362; 114 Stat. 1404),
 8 issued a record of decision after the preparation
 9 of an environmental impact statement or simi-
 10 lar analysis required under the National Envi-
 11 ronmental Policy Act of 1969 (42 U.S.C. 4321
 12 et seq.).

13 (3) WITHDRAWAL.—Subject to valid existing
 14 rights, the public land to be conveyed under para-
 15 graph (1) is withdrawn from—

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

18 (B) operation of the mineral leasing and
 19 geothermal leasing laws.

20 (4) USE.—The public land conveyed under
 21 paragraph (1) shall be used for the development of
 22 flood mitigation infrastructure for the Southern Ne-
 23 vada Supplemental Airport.

24 (c) DESCRIPTION OF LAND.—The land referred to in
 25 subsection (b) consists of the approximately 2,320 acres

1 of land managed by the Bureau of Land Management and
2 described on the map as the “Conveyance Area”.

3 (d) MAP AND LEGAL DESCRIPTION.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary
6 shall prepare an official legal description and map of
7 the parcel to be conveyed under this section.

8 (2) MINOR ERRORS.—The Secretary may cor-
9 rect any minor error in—

10 (A) the map; or

11 (B) the legal description.

12 (3) AVAILABILITY.—The map and legal descrip-
13 tion shall be on file and available for public inspec-
14 tion in the appropriate offices of the Bureau of
15 Land Management.

16 **SEC. 11. SUNRISE MOUNTAIN INSTANT STUDY AREA RE-**
17 **LEASE.**

18 (a) FINDING.—Congress finds that for the purposes
19 of section 603 of the Federal Land Policy and Manage-
20 ment Act of 1976 (43 U.S.C. 1782), the public land in
21 Clark County, Nevada, administered by the Bureau of
22 Land Management in the Sunrise Mountain Instant Study
23 Area has been adequately studied for wilderness designa-
24 tion.

1 (b) RELEASE.—Any public land described in sub-
 2 section (a) that is not designated as wilderness—

3 (1) is no longer subject to section 603(c) of the
 4 Federal Land Policy and Management Act of 1976
 5 (43 U.S.C. 1782(c)); and

6 (2) shall be managed in accordance with land
 7 management plans adopted under section 202 of
 8 that Act (43 U.S.C. 1712).

9 (c) POST RELEASE LAND USE APPROVALS.—Recog-
 10 nizing that the area released under subsection (b) presents
 11 unique opportunities for the granting of additional rights-
 12 of-way, including for high voltage transmission facilities,
 13 the Secretary of the Interior may accommodate multiple
 14 applicants within a particular right-of-way.

15 **SEC. 12. NELLIS DUNES OFF-HIGHWAY VEHICLE RECRE-**
 16 **ATION AREA.**

17 (a) DEFINITIONS.—In this section:

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

20 (2) COUNTY.—The term “County” means Clark
 21 County, Nevada.

22 (3) ECONOMIC SUPPORT AREA.—The term
 23 “Economic Support Area” means the land identified
 24 on the map as the “Economic Support Area”.

1 (4) FEDERAL LAND.—The term “Federal land”
2 means the approximately 1,211 acres of Federal
3 land in the County, as depicted on the map.

4 (5) MAP.—The term “map” means the map en-
5 titled “Nellis Dunes Off-Highway Vehicle Recreation
6 Area” and dated June 26, 2012.

7 (6) NELLIS DUNES RECREATION AREA.—The
8 term “Nellis Dunes Recreation Area” means the
9 Nellis Dunes Off-Highway Vehicle Recreation Area
10 identified on the map as “Nellis Dunes OHV Recre-
11 ation Area”.

12 (7) NET PROCEEDS.—The term “net proceeds”
13 means the amount that is equal to the difference be-
14 tween—

15 (A) the amount of gross revenues received
16 by the County from any activities at the Eco-
17 nomic Support Area; and

18 (B) the total amount expended by the
19 County for capital improvements to each of the
20 Economic Support Area and the Nellis Dunes
21 Recreation Area, provided that the capital im-
22 provements shall not exceed 80 percent of the
23 total gross proceeds.

24 (8) SECRETARY.—The term “Secretary” means
25 the Secretary of the Interior.

1 (9) STATE.—The term “State” means the State
2 of Nevada.

3 (b) CONVEYANCE OF FEDERAL LAND TO CLARK
4 COUNTY, NEVADA.—

5 (1) IN GENERAL.—As soon as practicable after
6 the date of enactment of this Act, the Secretary
7 shall convey to the County, subject to valid existing
8 rights, without consideration, all right, title, and in-
9 terest of the United States in and to the parcels of
10 Federal land.

11 (2) USE OF FEDERAL LAND.—

12 (A) IN GENERAL.—The parcels of Federal
13 land conveyed under paragraph (1)—

14 (i) shall be used by the County—

15 (I) to provide a suitable location
16 for the establishment of a centralized
17 off-road vehicle recreation park in the
18 County;

19 (II) to provide the public with
20 opportunities for off-road vehicle
21 recreation, including a location for
22 races, competitive events, training and
23 other commercial services that directly
24 support a centralized off-road vehicle
25 recreation area and County park; and

1 (III) to provide a designated area
 2 and facilities that would discourage
 3 unauthorized use of off-highway vehi-
 4 cles in areas that have been identified
 5 by the Federal Government, State
 6 government, or County government as
 7 containing environmentally sensitive
 8 land; and

9 (ii) shall not be disposed of by the
 10 County.

11 (B) REVERSION.—If the County ceases to
 12 use any parcel of the Federal land for the pur-
 13 poses described in subparagraph (A)(i) or sub-
 14 paragraph (C)—

15 (i) title to the parcel shall revert to
 16 the United States, at the option of the
 17 United States; and

18 (ii) the County shall be responsible for
 19 any reclamation necessary to revert the
 20 parcel to the United States.

21 (C) RENEWABLE AND SOLAR ENERGY.—
 22 The Federal land conveyed to the County under
 23 paragraph (1) and the land conveyed to the
 24 County under section 1(c) of Public Law 107–
 25 350 (116 Stat. 2975) may be used for the inci-

1 dental purpose of generating renewable energy
 2 and solar energy for use by the Clark County
 3 Off Highway Vehicle Recreation Park, the
 4 shooting park authorized under Public Law
 5 107–350 (116 Stat. 2975), and the County.

6 (D) CONSULTATION WITH THE SECRETARY
 7 OF THE AIR FORCE.—

8 (i) RESTRICTION.—Any project au-
 9 thorized under subparagraph (C) shall not
 10 interfere with the national security mission
 11 of Nellis Air Force Base (or any military
 12 operation).

13 (ii) CONDITION.—Before the construc-
 14 tion of any proposed project under sub-
 15 paragraph (C), the project proponent shall
 16 consult with the Secretary of Defense (or
 17 a designee).

18 (E) FUTURE CONVEYANCES.—Any future
 19 conveyance of Federal land for addition to the
 20 Clark County Off Highway Vehicle Park or the
 21 Nellis Dunes Recreation Area shall be subject
 22 to—

23 (i) the binding interlocal agreement
 24 under paragraph (3)(B); and

1 (ii) the aviation easement require-
 2 ments under paragraph (6).

3 (F) MANAGEMENT PLAN.—The Secretary,
 4 in consultation with the Secretary of the Air
 5 Force and the County, may develop a special
 6 management plan for the Federal land—

7 (i) to enhance public safety and safe
 8 off-highway vehicle recreation use in the
 9 Nellis Dunes Recreation Area;

10 (ii) to ensure compatible development
 11 with the mission requirements of the Nellis
 12 Air Force Base; and

13 (iii) to avoid and mitigate known pub-
 14 lic health risks associated with off-highway
 15 vehicle use in the Nellis Dunes Recreation
 16 Area.

17 (3) ECONOMIC SUPPORT AREA.—

18 (A) DESIGNATION.—There is designated
 19 the Economic Support Area.

20 (B) INTERLOCAL AGREEMENT.—

21 (i) IN GENERAL.—Before the Eco-
 22 nomic Support Area may be developed, the
 23 City and County shall enter into an
 24 interlocal agreement regarding the develop-
 25 ment of the Economic Support Area.

1 (ii) LIMITATION OF AGREEMENT.—In
 2 no case shall the interlocal agreement
 3 under this subparagraph compromise or
 4 interfere with the aviation rights provided
 5 under paragraph (6) and subsection (c)(4).

6 (C) USE OF PROCEEDS.—Of the net pro-
 7 ceeds from the development of the Economic
 8 Support Area, the County shall—

9 (i) annually deposit 50 percent in a
 10 special account in the Treasury, to be used
 11 by the Secretary for the development,
 12 maintenance, operations, and environ-
 13 mental restoration and mitigation of the
 14 Nellis Dunes Recreation Area; and

15 (ii) retain 50 percent, to be used by
 16 the County—

17 (I) to pay for capital improve-
 18 ments that are not covered by sub-
 19 section (a)(7)(B); and

20 (II) to maintain and operate the
 21 park established under paragraph
 22 (2)(A)(i)(I).

23 (4) AGREEMENT WITH NELLIS AIR FORCE
 24 BASE.—

1 (A) IN GENERAL.—Before the Federal
2 land may be conveyed to the County under
3 paragraph (1), the Clark County Board of
4 Commissioners, the Bureau of Land Manage-
5 ment, and Nellis Air Force Base shall enter
6 into an interlocal agreement for the Federal
7 land and the Nellis Dunes Recreation Area—

8 (i) to enhance safe off-highway recre-
9 ation use; and

10 (ii) to ensure that development of the
11 Federal land is consistent with the long-
12 term mission requirements of Nellis Air
13 Force Base.

14 (B) LIMITATION.—The use of the Federal
15 land conveyed under paragraph (1) shall not
16 compromise the national security mission or
17 aviation rights of Nellis Air Force Base.

18 (5) ADDITIONAL TERMS AND CONDITIONS.—
19 With respect to the conveyance of Federal land
20 under paragraph (1), the Secretary may require
21 such additional terms and conditions as the Sec-
22 retary considers to be appropriate to protect the in-
23 terests of the United States.

24 (6) AVIATION EASEMENT.—

1 (A) IN GENERAL.—Each deed entered into
2 for the conveyance of the Federal land shall
3 contain a perpetual aviation easement reserving
4 to the United States all rights necessary to pre-
5 serve free and unobstructed overflight in and
6 through the airspace above, over, and across the
7 surface of the Federal land for the passage of
8 aircraft owned or operated by any Federal
9 agency or other Federal entity.

10 (B) REQUIREMENTS.—Each easement de-
11 scribed in subparagraph (A) shall include such
12 terms and conditions as the Secretary of the
13 Air Force determines to be necessary to comply
14 with subparagraph (A).

15 (c) DESIGNATION OF THE NELLIS DUNES NATIONAL
16 OFF-HIGHWAY VEHICLE RECREATION AREA.—

17 (1) IN GENERAL.—The approximately 10,000
18 acres of land identified as “Nellis Dunes” in the Bu-
19 reau of Land Management Resource Management
20 Plan shall be known and designated as the “Nellis
21 Dunes Off-Highway Vehicle Recreation Area”.

22 (2) MANAGEMENT PLAN.—The Director of the
23 Bureau of Land Management may develop a special
24 management plan for the Nellis Dunes Recreation

1 Area to enhance the safe use of off-highway vehicles
2 for recreational purposes.

3 (3) EXCLUSION FROM NATIONAL LANDSCAPE
4 CONSERVATION SYSTEM.—The Nellis Dunes Recre-
5 ation Area shall not be considered a unit of the Na-
6 tional Landscape Conservation System.

7 (4) AVIATION RIGHTS.—The aviation rights de-
8 scribed in subsection (b)(6) shall apply to the Nellis
9 Dunes Recreation Area.

10 (d) WITHDRAWAL AND RESERVATION OF LAND FOR
11 NELLIS AIR FORCE BASE.—

12 (1) WITHDRAWAL.—Subject to valid existing
13 rights and except as otherwise provided in this sub-
14 section—

15 (A) the Federal land and interests in the
16 Federal land identified on the map as “Land to
17 be withdrawn for Nellis Air Force Base” are
18 withdrawn from all forms of appropriation
19 under the general land laws, including the min-
20 ing, mineral leasing, and geothermal leasing
21 laws; and

22 (B) jurisdiction over the land and interest
23 in land withdrawn and reserved by this sub-
24 section is transferred to the Secretary of the
25 Air Force.

1 (2) RESERVATION.—The land withdrawn under
 2 paragraph (1) is reserved for use by the Secretary
 3 of the Air Force for—

4 (A) the enlargement and protection of
 5 Nellis Air Force Base; or

6 (B) other defense-related purposes con-
 7 sistent with the purposes of this subsection.

8 (3) CHANGES IN USE.—The Secretary of the
 9 Air Force shall consult with the Secretary before
 10 using the land withdrawn and reserved by this sub-
 11 section for any purpose other than the purposes de-
 12 scribed in subsection (b)(2).

13 (4) EASEMENT.—The United States reserves—

14 (A) a right of flight for the passage of air-
 15 craft in the airspace above the surface of the
 16 Federal land conveyed to the County; and

17 (B) the right to cause in the airspace any
 18 noise, vibration, smoke, or other effects that
 19 may be inherent in the operation of aircraft
 20 landing at, or taking off from, Nellis Air Force
 21 Base.

○