

113TH CONGRESS
1ST SESSION

S. 1640

To facilitate planning, permitting, administration, implementation, and monitoring of pinyon-juniper dominated landscape restoration projects within Lincoln County, Nevada, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 2013

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

A BILL

To facilitate planning, permitting, administration, implementation, and monitoring of pinyon-juniper dominated landscape restoration projects within Lincoln 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pinyon-Juniper Re-
5 lated Projects Implementation Act”.

1 **SEC. 2. FACILITATION OF PINYON-JUNIPER RELATED**
2 **PROJECTS.**

3 (a) AVAILABILITY OF SPECIAL ACCOUNT UNDER
4 LINCOLN COUNTY LAND ACT OF 2000.—Section 5(b) of
5 the Lincoln County Land Act of 2000 (Public Law 106–
6 298; 114 Stat. 1048), is amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (B), by inserting
9 “and implementation” after “development”;
10 and

11 (B) in subparagraph (C)—

12 (i) in clause (i), by striking “; and” at
13 the end and inserting a semicolon;

14 (ii) in clause (ii), by striking “; and”
15 at the end and inserting a semicolon; and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(iii) planning, permitting, administration,
19 implementation, and monitoring of pinyon-juni-
20 per dominated landscape restoration projects
21 within Lincoln County, consistent with the Ely
22 Resource Management Plan; and

23 “(iv) completing compliance activities
24 under the National Environmental Policy Act of
25 1969 (42 U.S.C. 4321 et seq.), related mitiga-
26 tion plans, and archeological research and re-

source inventory in compliance with the National Historic Preservation Act (16 U.S.C. 470 et seq.), the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), and Public Law 95–341 (commonly known as the ‘American Indian Religious Freedom Act’) (42 U.S.C. 1996) for areas of proposed land use authorizations and rights-of-way required for development of land conveyed pursuant to this Act and the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403) and as required for authorization of leases, rights-of-way, and development within the Bureau of Land Management-designated Dry Lake Valley North Solar Energy Zone; and”;

(2) by adding at the end the following:

“(3) WAIVER OF FEES.—Processing of applications for rights-of-way submitted by a local government or regional government to serve land conveyed pursuant to this Act shall not require payment of cost recovery fees or payment of contributed funds.

“(4) COOPERATIVE AGREEMENTS.—Establishment and funding of cooperative agreements between the Bureau of Land Management and Lincoln Coun-

1 ty, Nevada, shall be required for County-provided
 2 law enforcement and planning related activities re-
 3 garding—

4 “(A) wilderness in Lincoln County, Ne-
 5 vada, designated by the Lincoln County Con-
 6 servation, Recreation, and Development Act of
 7 2004 (Public Law 108–424; 118 Stat. 2403);

8 “(B) cultural resources identified, pro-
 9 tected, and managed pursuant to that Act;

10 “(C) planning, management, and law en-
 11 forcement associated with the Silver State OHV
 12 Trail designated by that Act; and

13 “(D) planning associated with land dis-
 14 posal and related land use authorizations re-
 15 quired for utility corridors and rights of way to
 16 serve land that has been, or is to be, disposed
 17 of pursuant to that Act and this Act.”.

18 (b) AVAILABILITY OF SPECIAL ACCOUNT UNDER
 19 LINCOLN COUNTY CONSERVATION, RECREATION, AND
 20 DEVELOPMENT ACT OF 2004.—Section 103 of the Lin-
 21 coln County Conservation, Recreation, and Development
 22 Act of 2004 (Public Law 108–424; 118 Stat. 2406) is
 23 amended—

24 (1) in subsection (b)(3)—

1 (A) in subparagraph (E), by striking “;
2 and” at the end and inserting a semicolon;

3 (B) in subparagraph (F), by striking the
4 period at the end and inserting a semicolon;
5 and

6 (C) by adding at the end the following:

7 “(G) planning, permitting, administration,
8 implementation, and monitoring of pinyon-juni-
9 per dominated landscape restoration projects
10 within Lincoln County, consistent with the Ely
11 Resource Management Plan; and

12 “(H) completing compliance activities
13 under the National Environmental Policy Act of
14 1969 (42 U.S.C. 4321 et seq.), related mitiga-
15 tion plans, and archeological research and re-
16 source inventory in compliance with the Na-
17 tional Historic Preservation Act (16 U.S.C. 470
18 et seq.), the Native American Graves Protection
19 and Repatriation Act (25 U.S.C. 3001 et seq.),
20 and Public Law 95–341 (commonly known as
21 the ‘American Indian Religious Freedom Act’)
22 (42 U.S.C. 1996) for areas of proposed land
23 use authorizations and rights-of-way required
24 for development of land conveyed pursuant to
25 this Act and the Lincoln County Land Act of

1 2000 (Public Law 106–298; 114 Stat. 1046)
 2 and as required for authorization of leases,
 3 rights-of-way, and development within the Bu-
 4 reau of Land Management-designated Dry
 5 Lake Valley North Solar Energy Zone.”; and
 6 (2) by adding at the end the following:

7 “(d) WAIVER OF FEES.—Processing of applications
 8 for rights-of-way submitted by a local government or re-
 9 gional government to serve lands conveyed pursuant to
 10 this Act shall not require payment of cost recovery fees
 11 or payment of contributed funds.

12 “(e) COOPERATIVE AGREEMENTS.—Establishment
 13 and funding of cooperative agreements between the Bu-
 14 reau of Land Management and Lincoln County, Nevada,
 15 shall be required for County-provided law enforcement and
 16 planning related activities regarding—

17 “(1) wilderness in Lincoln County, Nevada, des-
 18 ignated by this Act;

19 “(2) cultural resources identified, protected,
 20 and managed pursuant to this Act;

21 “(3) planning, management, and law enforce-
 22 ment associated with the Silver State OHV Trail
 23 designated by this Act; and

24 “(4) planning associated with land disposal and
 25 related land use authorizations required for utility

1 corridors and rights of way to serve land that has
 2 been, or is to be, disposed of pursuant to this Act
 3 and the Lincoln County Land Act of 2000 (Public
 4 Law 106–298; 114 Stat. 1046).”.

5 **SEC. 3. DISPOSITION OF PROCEEDS.**

6 (a) DISPOSITION OF PROCEEDS UNDER LINCOLN
 7 COUNTY LAND ACT OF 2000.—Section 5(a)(2) of the Lin-
 8 coln County Land Act of 2000 (Public Law 106–298; 114
 9 Stat. 1047) is amended by inserting “and economic devel-
 10 opment” after “schools”.

11 (b) DISPOSITION OF PROCEEDS UNDER LINCOLN
 12 COUNTY CONSERVATION, RECREATION, AND DEVELOP-
 13 MENT ACT OF 2004.—Section 103(b)(2) of the Lincoln
 14 County Conservation, Recreation, and Development Act of
 15 2004 (Public Law 108–424; 118 Stat. 2405) is amended
 16 by striking “and transportation” and inserting “transpor-
 17 tation, and economic development”.

18 **SEC. 4. CERTAIN LAND IN UTILITY CORRIDOR NOT WITH-**
 19 **DRAWN.**

20 Section 301(c) of the Lincoln County Conservation,
 21 Recreation, and Development Act of 2004 (Public Law
 22 108–424; 118 Stat. 2413) is amended in the matter pre-
 23 ceding paragraph (1) by inserting “(other than land in

- 1 the corridor located in sections 7, 8, 9, 10, and 15, T.
- 2 7 N., R. 68 E.)” after “subsection (a)”.

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