

114TH CONGRESS
1ST SESSION

H. R. 4060

To establish certain conservation and recreation areas in the State of California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2015

Mr. VARGAS introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish certain conservation and recreation areas in the State of California, 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 “Imperial Valley Desert
5 Conservation and Recreation Act of 2015”.

6 **SEC. 2. LAND CONVEYANCE, ANZA-BORREGO DESERT**
7 **STATE PARK, CALIFORNIA.**

8 (a) CONVEYANCE REQUIRED.—The Secretary, with-
9 out consideration, to the State, all right, title, and interest
10 of the United States in and to a parcel of public lands

1 administered by the Bureau of Land Management in San
2 Diego County, California, comprising approximately 934
3 acres and generally depicted as “Table Mountain Wilder-
4 ness Study Area Proposed Transfer” on the map prepared
5 at the request of Representative Juan Vargas entitled
6 “Table Mountain Wilderness Study Area Proposed Trans-
7 fer to the State” and dated October 8, 2015, for the pur-
8 pose of allowing the State to include that land as part
9 of Anza-Borrego Desert State Park.

10 (b) TIME FOR CONVEYANCE.—The Secretary shall
11 complete the conveyance of the parcel under subsection (a)
12 as soon as practicable after the termination of all mining
13 claims related to the parcel.

14 (c) MANAGEMENT.—The parcel conveyed under sub-
15 section (a) shall be managed by the State in accordance
16 with the provisions of the California Wilderness Act (Cali-
17 fornia Public Resources Code sections 5093.30–5093.40).

18 (d) WITHDRAWAL.—Subject to valid existing rights,
19 the parcel to be conveyed under subsection (a) is with-
20 drawn from—

- 21 (1) all forms of entry, appropriation, or disposal
22 under the public land laws;
23 (2) location, entry, and patent under the mining
24 laws; and

1 (3) disposition under all laws relating to min-
2 eral and geothermal leasing.

3 (e) REVERSION.—If the State ceases to manage the
4 parcel conveyed under subsection (a) as part of the State
5 Park System or in a manner inconsistent with the Cali-
6 fornia Wilderness Act (California Public Resources Code
7 sections 5093.30–5093.40), the land shall revert to the
8 Secretary, at the discretion of the Secretary, to be man-
9 aged as a Wilderness Study Area.

10 **SEC. 3. LAND CONVEYANCE, HOLTVILLE AIRPORT, IMPE-**
11 **RIAL COUNTY, CALIFORNIA.**

12 (a) CONVEYANCE AUTHORITY.—On the submission
13 of an application by Imperial County, California, the Sec-
14 retary of Transportation shall seek, in accordance with
15 section 47125 of title 49, United States Code, and section
16 2641.1 of title 43, Code of Federal Regulations (or suc-
17 cessor regulation), a conveyance from the Secretary of a
18 parcel of Federal land administered by the Bureau of
19 Land Management comprising approximately 3,500 acres
20 adjacent to the Imperial County Holtville Airport (L04)
21 for the purposes allowing the County to expand the air-
22 port.

23 (b) SEGREGATION.—With respect to the parcel de-
24 scribed in subsection (a), the Secretary, acting through
25 the Director of the Bureau of Land Management, shall—

1 (1) segregate the parcel; and

2 (2) prohibit the appropriation of the parcel
3 until the earlier of the following:

4 (A) The date on which a notice of realty
5 action terminates the application referred to in
6 subsection (a).

7 (B) The date on which a document of con-
8 veyance with regard to the parcel is published.

9 **SEC. 4. VINAGRE WASH SPECIAL MANAGEMENT AREA.**

10 (a) DEFINITIONS.—In this section:

11 (1) MANAGEMENT AREA.—The term “Manage-
12 ment Area” means the Vinagre Wash Special Man-
13 agement Area.

14 (2) MAP.—The term “map” means the map
15 prepared at the request of Representative Juan
16 Vargas entitled “Vinagre Wash Proposed Special
17 Management Area; Indian Pass Mountains and Palo
18 Verde Mountains Potential Wilderness Additions,
19 and Buzzards Peak, Milpitas Wash Potential Wil-
20 derness” and dated October 8, 2015.

21 (3) PUBLIC LANDS.—The term “public lands”
22 has the meaning given that term in section 103 of
23 the Federal Land Policy and Management Act of
24 1976 (43 U.S.C. 1702).

25 (b) VINAGRE WASH SPECIAL MANAGEMENT AREA.—

1 (1) ESTABLISHMENT.—There is established in
2 the State the Vinagre Wash Special Management
3 Area, to be managed by the El Centro Field Office
4 and the Yuma Field Office of the Bureau of Land
5 Management.

6 (2) PURPOSE.—The purpose of the Manage-
7 ment Area is to conserve, protect, and enhance—

8 (A) the plants and wildlife of the Manage-
9 ment Area; and

10 (B) the outstanding and nationally signifi-
11 cant ecological, geological, scenic, archae-
12 ological, cultural, historic, recreational, and
13 other resources of the Management Area.

14 (3) BOUNDARIES.—The Management Area shall
15 consist of the public lands in Imperial County, Cali-
16 fornia, comprising approximately 81,880 acres, as
17 generally depicted as “Proposed Special Manage-
18 ment Area” on the map.

19 (4) MAP; LEGAL DESCRIPTION.—

20 (A) IN GENERAL.—As soon as practicable,
21 but not later than three years after the date of
22 enactment of this Act, the Secretary shall sub-
23 mit a map and legal description of the Manage-
24 ment Area to—

1 (i) the Committee on Natural Re-
2 sources of the House of Representatives;
3 and

4 (ii) the Committee on Energy and
5 Natural Resources of the Senate.

6 (B) EFFECT.—The map and legal descrip-
7 tion submitted under subparagraph (A) shall
8 have the same force and effect as if included in
9 this Act, except that the Secretary may correct
10 any errors in the map and legal description.

11 (C) AVAILABILITY.—Copies of the map
12 submitted under subparagraph (A) shall be on
13 file and available for public inspection in—

14 (i) the Office of the Director of the
15 Bureau of Land Management; and

16 (ii) the appropriate office of the Bu-
17 reau of Land Management in the State.

18 (c) MANAGEMENT.—

19 (1) CERTAIN ACTIVITIES AUTHORIZED.—The
20 Secretary shall allow hiking, camping, hunting, and
21 sightseeing and the use of motorized vehicles, moun-
22 tain bikes, and horses on designated routes in the
23 Management Area in a manner that—

24 (A) is consistent with the purpose of the
25 Management Area;

1 (B) ensures public health and safety; and

2 (C) is consistent with applicable law.

3 (2) OFF-HIGHWAY VEHICLE USE.—

4 (A) IN GENERAL.—Except as otherwise
5 provided in this subsection and subject to all
6 other applicable laws, the use of off-highway ve-
7 hicles shall be permitted on routes in the Man-
8 agement Area generally depicted on the map.

9 (B) CLOSURE.—Subject to subparagraph
10 (C), the Secretary may temporarily close or per-
11 manently reroute a portion of a route described
12 in subparagraph (A) or opened pursuant to
13 subparagraph (D)—

14 (i) to prevent, or allow for restoration
15 of, resource damage;

16 (ii) to protect tribal cultural re-
17 sources, including the resources identified
18 in the tribal cultural resources manage-
19 ment survey conducted under paragraph
20 (7);

21 (iii) to address public safety concerns;

22 or

23 (iv) as otherwise required by law.

24 (C) DESIGNATION OF ADDITIONAL
25 ROUTES.—During the 3-year period beginning

on the date of enactment of this Act, the Secretary—

(i) shall accept petitions from the public regarding additional routes for off-highway vehicles in the Management Area; and

(ii) may designate additional routes that the Secretary determines—

(I) would provide significant or unique recreational opportunities; and

(II) are consistent with the purposes of the Management Area.

(3) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the Management Area is withdrawn from—

(A) all forms of entry, appropriation, or disposal under the public land laws;

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

(C) right-of-way, leasing, or disposition under all laws relating to—

(i) minerals; or

(ii) solar, wind, and geothermal energy.

1 (4) NO BUFFERS.—The establishment of the
2 Management Area shall not—

3 (A) create a protective perimeter or buffer
4 zone around the Management Area; or

5 (B) restrict, preclude, limit, or prevent
6 uses or activities outside the Management Area
7 that are permitted under other applicable laws,
8 even if the uses or activities are prohibited
9 within the Management Area.

10 (5) NOTICE OF AVAILABLE ROUTES.—The Sec-
11 retary shall ensure that visitors to the Management
12 Area have access to adequate notice relating to the
13 availability of designated routes in the Management
14 Area through—

15 (A) the placement of appropriate signage
16 along the designated routes;

17 (B) the distribution of maps, safety edu-
18 cation materials, and other information that the
19 Secretary determines to be appropriate; and

20 (C) restoration of areas that are not des-
21 ignated as open routes, including vertical
22 mulching.

23 (6) STEWARDSHIP.—In consultation with In-
24 dian tribes and other interested persons, the Sec-
25 retary shall develop a program to provide opportuni-

ties for monitoring and stewardship of the Management Area to minimize environmental impacts and prevent resource damage from recreational use, including volunteer assistance with—

(A) route signage;

(B) restoration of closed routes;

(C) protection of Management Area resources; and

(D) recreation education.

(7) PROTECTION OF TRIBAL CULTURAL RESOURCES.—Not later than 2 years after the date of enactment of this Act, the Secretary, in accordance with chapter 2003 of title 54, United States Code, and any other applicable law, shall—

(A) prepare and complete a tribal cultural resources survey of the Management Area; and

(B) consult with the Quechan Indian Nation and other Indian tribes demonstrating ancestral, cultural, or other ties to the resources within the Management Area on the development and implementation of the tribal cultural resources survey under subparagraph (A).

(d) POTENTIAL WILDERNESS.—

(1) PROTECTION OF WILDERNESS CHARACTER.—The Secretary shall manage the public

1 lands in the Management Area described in para-
2 graph (2) in a manner that preserves the character
3 of the land for the eventual inclusion of the land in
4 the National Wilderness Preservation System.

5 (2) COVERED LANDS.—The public lands cov-
6 ered by this section are—

7 (A) the approximately 10,860 acres of
8 land, as generally depicted as the “Indian Pass
9 Additions” on the map;

10 (B) the approximately 17,250 acres of
11 land, as generally depicted as “Milpitas Wash
12 Potential Wilderness” on the map;

13 (C) the approximately 11,840 acres of
14 land, as generally depicted as “Buzzards Peak
15 Potential Wilderness” on the map; and

16 (D) the approximately 9,350 acres of land,
17 as generally depicted as “Palo Verde Mountains
18 Potential Wilderness” on the map.

19 (3) MILITARY USES OF LANDS.—The Secretary
20 shall manage the public lands covered by this section
21 in a manner that is consistent with the Wilderness
22 Act (16 U.S.C. 1131 et seq.), except that the Sec-
23 retary may authorize use of the land by the Sec-
24 retary of the Navy for Naval Special Warfare Tac-
25 tical Training, including long-range small unit train-

1 ing and navigation, vehicle concealment, and vehicle
2 sustainment training, in accordance with applicable
3 Federal laws.

4 (4) PROHIBITED USES.—The following uses are
5 prohibited on the public lands covered by this sec-
6 tion:

7 (A) Permanent roads.

8 (B) Commercial enterprises.

9 (C) Except as necessary to meet the min-
10 imum requirements for the administration of
11 the land and to protect public health and safe-
12 ty—

13 (i) the use of mechanized vehicles; and

14 (ii) the establishment of temporary
15 roads.

16 (5) WILDERNESS DESIGNATION.—

17 (A) EVENTUAL DESIGNATION.—The public
18 lands covered by this section shall be designated
19 as wilderness and either included as part of an
20 existing wilderness area or made a new compo-
21 nent of the National Wilderness Preservation
22 System on the date on which the Secretary, in
23 consultation with the Secretary of Defense,
24 publishes a notice in the Federal Register that
25 all activities on the Federal land that are in-

compatible with the Wilderness Act (16 U.S.C. 1131 et seq.) have terminated.

(B) DESIGNATION.—On designation of the public lands as wilderness under paragraph (1)—

(i) the land described in paragraph (2)(A) shall be incorporated in, and shall be considered to be a part of, the Indian Pass Wilderness designated by section 102(27) of the California Desert Protection Act of 1994 (Public Law 104–433; 16 U.S.C. 1132 note);

(ii) the land described in paragraph (2)(B) shall be designated as the Milpitas Wash Wilderness;

(iii) the land described in paragraph (2)(C) shall be designated as the Buzzard Peak Wilderness; and

(iv) the land described in paragraph (2)(D) shall be incorporated in, and shall be considered to be a part of, the Palo Verde Mountains Wilderness designated by section 102(48) of the California Desert Protection Act of 1994 (Public Law 104–433; 16 U.S.C. 1132 note).

1 (6) ADMINISTRATION OF WILDERNESS.—Sub-
2 ject to valid existing rights, the land designated as
3 wilderness or as a wilderness addition by paragraph
4 (5)(B) shall be administered by the Secretary in ac-
5 cordance with this Act and the Wilderness Act (16
6 U.S.C. 1131 et seq.).

7 **SEC. 5. DEFINITIONS.**

8 In this Act:

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

11 (2) STATE.—The term “State” means the State
12 of California.

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