

CLARK COUNTY CONSERVATION OF PUBLIC LAND AND  
NATURAL RESOURCES ACT OF 2002

OCTOBER 15, 2002.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany H.R. 5200]

The Committee on Resources, to whom was referred the bill (H.R. 5200) to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION. 1. SHORT TITLE.**

This Act may be cited as the Clark County Conservation of Public Land and Natural Resources Act of 2002.

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

The table of contents of this Act is as follows:

- Sec. 1. Short Title.
- Sec. 2. Table of Contents.
- Sec. 3. Definitions.
- Sec. 4. Authorization of Appropriations.

**TITLE I—RED ROCK CANYON NATIONAL CONSERVATION AREA LAND EXCHANGE AND BOUNDARY ADJUSTMENT.**

- Sec. 101. Short title.
- Sec. 102. Definitions.
- Sec. 103. Findings and purposes.
- Sec. 104. Red Rock Canyon land exchange.
- Sec. 105. Status and management of lands.
- Sec. 106. General provisions.

**TITLE II—WILDERNESS AREAS.**

- Sec. 201. Findings.
- Sec. 202. Additions to National Wilderness Preservation System.
- Sec. 203. Administration.
- Sec. 204. Adjacent management.
- Sec. 205. Military overflights.
- Sec. 206. Native American cultural and religious uses.
- Sec. 207. Release of wilderness study areas.
- Sec. 208. Wildlife management.
- Sec. 209. Wildfire management.

- Sec. 210. Climatological data collection.  
 Sec. 211. National Park Service lands.

TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION.

- Sec. 301. Transfer of administrative jurisdiction to the United States Fish and Wildlife Service.  
 Sec. 302. Transfer of administrative jurisdiction to National Park Service.

TITLE IV—AMENDMENTS TO THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT

- Sec. 401. Disposal and exchange.

TITLE V—IVANPAH CORRIDOR

- Sec. 501. Interstate Route 15 south corridor.  
 Sec. 502. Area of Critical Environmental Concern segregation.

TITLE VI—SLOAN CANYON NATIONAL CONSERVATION AREA

- Sec. 601. Short title.  
 Sec. 602. Purpose.  
 Sec. 603. Definitions.  
 Sec. 604. Establishment.  
 Sec. 605. Management.  
 Sec. 606. Sale of Federal parcel.  
 Sec. 607. Right of way.

TITLE VII—PUBLIC INTEREST CONVEYANCES

- Sec. 701. Definition of map.  
 Sec. 702. Conveyance to the University of Nevada at Las Vegas Research Foundation.  
 Sec. 703. Conveyance to the Las Vegas Metropolitan Police Department.  
 Sec. 704. Conveyance to the City of Henderson for the Nevada State College at Henderson.  
 Sec. 705. Conveyance to the City of Las Vegas, Nevada.  
 Sec. 706. Sale of Federal parcel.  
 Sec. 707. Relocation of right of way corridor in Clark and Lincoln counties.

TITLE VIII—HUMBOLDT PROJECT CONVEYANCE

- Sec. 801. Short title.  
 Sec. 802. Definitions.  
 Sec. 803. Authority to convey title.  
 Sec. 804. Payment.  
 Sec. 805. Compliance with other laws.  
 Sec. 806. Revocation of withdrawals.  
 Sec. 807. Liability.  
 Sec. 808. National Environmental Policy Act.  
 Sec. 809. Future benefits.

TITLE IX—MISCELLANEOUS PROVISIONS

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

**SEC. 3. DEFINITIONS.**

In this Act:

- (1) AGREEMENT.—The term “Agreement” means the Agreement entitled “Interim Cooperative Management Agreement Between the United States of the Interior Bureau of Land Management and Clark County”, dated November 4, 1992.
- (2) COUNTY.—The term “County” means Clark County, Nevada.
- (3) SECRETARY.—The term “Secretary” means—
  - (A) the Secretary of Agriculture with respect to land in the National Forest System; or
  - (B) the Secretary of the Interior, with respect to other Federal land.
- (4) STATE.—The term “State” means the State of Nevada.

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

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

**TITLE I—RED ROCK CANYON NATIONAL CONSERVATION AREA LAND EXCHANGE AND BOUNDARY ADJUSTMENT.**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002”.

**SEC. 102. DEFINITIONS.**

As used in this title:

- (1) CORPORATION.—The term “Corporation” means the Howard Hughes Corporation, an affiliate of the Rouse Company, with its principal place of business at 10000 West Charleston Boulevard, Las Vegas, Nevada.

(2) RED ROCK CANYON.—The term “Red Rock Canyon” means the Red Rock Canyon National Conservation Area, consisting of approximately 195,780 acres of public lands in Clark County, Nevada, specially designated for protection in the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), as depicted on the Red Rock Canyon Map.

(3) RED ROCK CANYON MAP.—The term “Red Rock Canyon Map” means the map entitled Southern Nevada Public Land Management Act, dated October 1, 2002.

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

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

(1) Red Rock Canyon is a natural resource of major significance to the people of Nevada and the United States. It must be protected in its natural state for the enjoyment of future generations of Nevadans and Americans, and enhanced wherever possible.

(2) In 1998, the Congress enacted the Southern Nevada Public Lands Management Act of 1998 (Public Law 105-263), which provided among other things for the protection and enhancement of Red Rock Canyon.—

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

(4) Included in the Corporation’s land holdings are 1,071 acres of high-ground lands at the eastern edge of Red Rock Canyon. These lands were intended to be included in Red Rock, but to date have not been acquired by the United States. The protection of this high-ground acreage would preserve an important element of the western Las Vegas Valley viewshed.—

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

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

(1) To accomplish an exchange of lands between the United States and the Corporation that would transfer certain high-ground lands to the United States in exchange for the transfer of other lands of approximately equal value to the Corporation.

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

(3) To further fulfill the purposes of the Southern Nevada Public Lands Management Act of 1998 and the Red Rock Canyon National Conservation Area Establishment Act of 1990.

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

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

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

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

(b) SIMULTANEOUS CONVEYANCES.—Title to the private property and the Federal property to be conveyed pursuant to this section shall be conveyed at the same time.

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

(d) CONDITIONS.—

(1) HAZARDOUS MATERIALS.—As a condition of the conveyance under subsection (a)(1), the Secretary shall require that the Corporation be responsible for removal of and remediation related to any hazardous materials that are present on the property conveyed to the United States under subsection (a).

(2) SURVEY.—As a condition of the conveyance under subsection (a)(1), the Secretary shall require that not later than 90 days after the date of the offer referred to in subsection (a), the Corporation shall provide a metes and bounds survey, that is acceptable 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 determined by an appraisal, to be approved by the Secretary, that complies with the Uniform Standards for Federal Land Acquisitions.

(3) **EQUALIZATION.**—

(A) **IN GENERAL.**—If the value of the non-Federal parcel is less than the value of the Federal parcel—

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

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

(B) **DISPOSITION OF PROCEEDS.**—The Secretary shall deposit any cash equalization payments received under subparagraph (A)(i) in accordance with section 4(e)(2) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345).

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

(a) **INCLUSION AND MANAGEMENT OF LANDS.**—Upon the date of the enactment of this Act, the Secretary shall administer the lands depicted on the Red Rock Map as Public Lands-proposed addition to the Red Rock Canyon NCA, exclusive of those lands used for the Corps of Engineers R-4 Detention Basin, as part of Red Rock and in accordance with the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.) and all other applicable laws.

(b) **INCLUSION OF ACQUIRED LANDS.**—Upon acquisition by the United States of lands under this Act, the Secretary shall—

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

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

(c) **CONFORMING AMENDMENT.**—Section 3(a)(2) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc–1 (a)(2)) is amended by inserting before the period the following: “, and such additional areas as are included in the conservation area pursuant to the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002”.

#### **SEC. 106. GENERAL PROVISIONS.**

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

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

(c) **TECHNICAL CORRECTIONS.**—Nothing in this Act prohibits the parties to the conveyances under this Act from agreeing to the correction of technical errors or omissions in the Red Rock Map.

(d) WITHDRAWAL OF AFFECTED LANDS.—To the extent not already accomplished under law or administrative action, the Secretary shall withdraw from operation of the public land and mining laws, subject to valid existing rights—

- (1) those Federal lands acquired by the United States under this Act; and
- (2) those Federal lands already owned by the United States on the date of enactment of this Act but included within the Red Rock National Conservation Area boundaries by this Act.

## TITLE II—WILDERNESS AREAS.

### SEC. 201. FINDINGS.

The Congress finds that—

- (1) public land in the County contains unique and spectacular natural resources, including—
  - (A) priceless habitat for numerous species of plants and wildlife; and
  - (B) thousands of acres of pristine land that remain in a natural state;
- (2) continued preservation of those areas would benefit the County and all of the United States by—
  - (A) ensuring the conservation of ecologically diverse habitat;
  - (B) conserving primitive recreational resources; and
  - (C) protecting air and water quality.

### SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

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

(1) ARROW CANYON WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 27,503 acres, as generally depicted on the map entitled “Arrow Canyon”, dated October 1, 2002, which shall be known as the “Arrow Canyon Wilderness”.

(2) BLACK CANYON WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 17,220 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the Black Canyon Wilderness .

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

(4) ELDORADO WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 31,950 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Eldorado Wilderness”.

(5) IRETEBA PEAKS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 32,745 acres, as generally depicted on the map entitled “Eldorado/Spirit Mountain”, dated October 1, 2002, which shall be known as the “Ireteba Peaks Wilderness”.

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

(7) JUMBO SPRINGS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 4,631 acres, as generally depicted on the map entitled “Gold Butte”, dated October 1, 2002, which shall be known as the “Jumbo Springs Wilderness”.

(8) LA MADRE MOUNTAIN WILDERNESS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 47,180 acres, as generally depicted on the map entitled “Spring Mountains”, dated October 1, 2002, which shall be known as the “La Madre Mountain Wilderness”.

(9) LIME CANYON WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 23,233 acres, as generally depicted on the map entitled “Gold Butte”, dated October 1, 2002, which shall be known as the “Lime Canyon Wilderness”.

(10) MT. CHARLESTON WILDERNESS ADDITIONS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 13,598 acres, as

generally depicted on the map entitled Spring Mountains, dated October 1, 2002, which shall be included in the Mt. Charleston Wilderness.

(11) MUDDY MOUNTAINS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of land managed by the Bureau of Land Management, comprising approximately 48,019 acres, as generally depicted on the map entitled Muddy Mountains, dated October 1, 2002, which shall be known as the Muddy Mountains Wilderness.

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

(13) NORTH McCULLOUGH WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 14,763 acres, as generally depicted on the map entitled McCulloughs, dated October 1, 2002, which shall be known as the North McCullough Wilderness.

(14) PINTO VALLEY WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 39,173 acres, as generally depicted on the map entitled Muddy Mountains, dated October 1, 2002, which shall be known as the Pinto Valley Wilderness.

(15) RAINBOW MOUNTAIN WILDERNESS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 24,997 acres, as generally depicted on the map entitled Spring Mountains, dated October 1, 2002, which shall be known as the Rainbow Mountain Wilderness.

(16) SOUTH McCULLOUGH WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 44,245 acres, as generally depicted on the map entitled McCulloughs, dated October 1, 2002, which shall be known as the South McCullough Wilderness.

(17) SPIRIT MOUNTAIN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 33,518 acres, as generally depicted on the map entitled Eldorado/Spirit Mountain, dated October 1, 2002, which shall be known as the Spirit Mountain Wilderness.

(18) WEE THUMP JOSHUA TREE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 6,050 acres, as generally depicted on the map entitled McCulloughs, dated October 1, 2002, which shall be known as the Wee Thump Joshua Tree Wilderness.

(b) BOUNDARY.—

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

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

(c) MAP AND LEGAL DESCRIPTION.—

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

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

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management, National Park Service, or Forest Service, as applicable.

(d) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas designated in this section are withdrawn from—

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

**SEC. 203. ADMINISTRATION.**

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

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

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

(b) **LIVESTOCK.**—Within the wilderness areas designated under this title that are administered by the Bureau of Land Management, the grazing of livestock in areas in which grazing is established as of the date of enactment of this Act shall be allowed to continue, subject to such reasonable regulations, policies, and practices that the Secretary considers necessary, consistent with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), including the guidelines set forth in Appendix A of House Report 101–405.

(c) **INCORPORATION OF ACQUIRED LANDS AND INTERESTS.**—Any land or interest in land within the boundaries of an area designated as wilderness by this title that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area within which the acquired land or interest is located.

(d) **WATER RIGHTS.**—

(1) **FINDINGS.**—Congress finds that—

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

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

(C) the subsurface hydrogeology of the region is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the lands designated as wilderness by this Act are generally not suitable for use or development of new water resource facilities and there are no actual or proposed water resource facilities and no opportunities for diversion, storage, or other uses of water occurring outside such lands that would adversely affect the wilderness or other values of such lands; and

(E) because of the unique nature and hydrology of these desert lands designated as wilderness by this Act and the existence of the Clark County Multi-Species Habitat Conservation Plan it is possible to provide for proper management and protection of the wilderness, perennial springs and other values of such lands in ways different from those utilized in other legislation.

(2) **STATUTORY CONSTRUCTION.**—

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

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

(C) Nothing in this subsection shall be construed as establishing a precedent with regard to any future wilderness designations.

(D) Nothing in this Act shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State of Nevada and other States.

(E) Nothing in this subsection shall be construed as limiting, altering, modifying, or amending the Clark County Multi-Species Habitat Conservation Plan (MSHCP) with respect to the lands designated as Wilderness by this Act including the MSHCP's specific management actions for the conservation of perennial springs.

(3) **NEVADA WATER LAW.**—The Secretary shall follow the procedural and substantive requirements of the law of the State of Nevada in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas designated by this Act.

(4) **NEW PROJECTS.**—

(A) As used in this paragraph, the term water resource facility means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures. The term water resource facility does not include wildlife guzzlers.

(B) Except as otherwise provided in this Act, on and after the date of the enactment of this Act, neither the President nor any other officer, employee,

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

**SEC. 204. ADJACENT MANAGEMENT.**

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

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

**SEC. 205. MILITARY OVERFLIGHTS.**

Nothing in this title restricts or precludes—

- (1) low-level overflights of military aircraft over the areas designated as wilderness by this title, including military overflights that can be seen or heard within the wilderness areas;
- (2) flight testing and evaluation; or
- (3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

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

Nothing in this Act shall be construed to diminish the rights of any Indian Tribe. Nothing in this Act shall be construed to diminish tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

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

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

- (1) The Garrett Buttes Wilderness Study Area.
- (2) The Quail Springs Wilderness Study Area.
- (3) The Nellis A, B, C Wilderness Study Area.
- (4) Any portion of the wilderness study areas—
  - (A) not designated as wilderness by section 202(a); and
  - (B) designated for release on—
    - (i) the map entitled Muddy Mountains and dated October 1, 2002;
    - (ii) the map entitled Spring Mountains and dated October 1, 2002;
    - (iii) the map entitled Arrow Canyon and dated October 1, 2002;
    - (iv) the map entitled Gold Butte and dated October 1, 2002;
    - (v) the map entitled McCullough Mountains and dated October 1, 2002;
    - (vi) the map entitled El Dorado/Spirit Mountain and dated October 1, 2002; or
    - (vii) the map entitled Southern Nevada Public Land Management Act and dated October 1, 2002.

(b) **RELEASE.**—Except as provided in subsection (c), any public land described in subsection (a) that is not designated as wilderness by this title—

- (1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and
- (2) shall be managed in accordance with—
  - (A) land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and
  - (B) existing cooperative conservation agreements.

(c) **RIGHT OF WAY GRANT.**—The Secretary shall issue to the State-regulated sponsor of the Centennial Project the right-of-way for the construction and maintenance of two 500-kilovolt electrical transmission lines. The construction shall occur within a 500-foot-wide corridor that is released from the Sunrise Mountains Instant Study Area in the County as depicted on the Southern Nevada Public Land Management Act map, dated October 1, 2002.

**SEC. 208. WILDLIFE MANAGEMENT.**

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

(b) **MANAGEMENT ACTIVITIES.**—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife

populations and the habitats to support such populations may be carried out within wilderness areas designated by this title where consistent with relevant wilderness management plans, in accordance with appropriate policies such as those set forth in Appendix B of House Report 101–405, including the occasional and temporary use of motorized vehicles, if such use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values and accomplish those purposes with the minimum impact necessary to reasonably accomplish the task.

(c) **EXISTING ACTIVITIES.**—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)), the State or its designee may continue to use aircraft (including helicopters) to transport water to wildlife water developments, including guzzlers, and to survey, capture, transplant and monitor wildlife populations, including big-horn sheep, and feral stock, horses, and burros.

(d) **WILDLIFE WATER DEVELOPMENT PROJECTS.**—The Secretary shall, subject to subsection (f) authorize existing structures and facilities for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(e) **HUNTING, FISHING, AND TRAPPING.**—The Secretary may designate by regulation areas in consultation with the appropriate State agency (except in emergencies), in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas designated by this title.

(f) **COOPERATIVE AGREEMENT.**—No later than one year after the date of enactment of this Act, the Secretary shall enter into a cooperative agreement with the State of Nevada. The cooperative agreement shall specify the terms and conditions under which the State (including a designee of the State) may utilize wildlife management activities in the wilderness areas designated by this title.

**SEC. 209. WILDFIRE MANAGEMENT.**

Consistent with section 4 of the Wilderness Act (16 U.S.C. 1133), nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) to manage wildfires in the wilderness areas designated by this title.

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

Subject to such terms and conditions as the Secretary may prescribe, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas designated by this title if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

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

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

## **TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION.**

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

(a) **IN GENERAL.**—Administrative jurisdiction over the land described in subsection (b) is transferred from the Bureau of Land Management to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Range.

(b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (a) is the approximately 26,433 acres of land administered by the Bureau of Land Management as generally depicted on the map entitled Arrow Canyon and dated October 1, 2002.

(c) **WILDERNESS RELEASE.**—

(1) Congress finds that the parcel of land described in subsection (b) has been adequately studied for wilderness designation for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

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

- (A) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and
- (B) shall be managed in accordance with
  - (i) the National Wildlife Refuge System Administration Act, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S. C. 668dd–668ee); and
  - (ii) existing cooperative conservation agreements.

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

- (a) **IN GENERAL.**—Administrative jurisdiction over the parcel of land described in subsection (b) is transferred from the Bureau of Land Management to the National Park Service for inclusion in the Lake Mead National Recreation Area.
- (b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (a) is the approximately 10 acres of Bureau of Land Management land, as depicted on the map entitled Eldorado/Spirit Mountain and dated October 1, 2002.
- (c) **USE OF LAND.**—The parcel of land described in subsection (b) shall be used by the National Park Service for administrative facilities.

## **TITLE IV—AMENDMENTS TO THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT**

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

- (a) **IN GENERAL.**—Section 4 of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2344) is amended—
  - (1) in the first sentence of subsection (a), by striking entitled Las Vegas Valley, Nevada, Land Disposal Map, April 10, 1997 and inserting entitled Southern Nevada Public Land Management Act, dated October 1, 2002; and
  - (2) in subsection (e)(3)(A)—
    - (A) in clause (iv)—
      - (i) by inserting or regional governmental entity after local government ; and
      - (ii) by striking and at the end;
    - (B) by redesignating clause (v) as clause (vi); and
    - (C) by inserting after clause (iv) the following:
      - (v) up to 10 percent of amounts available, to be used for conservation initiatives on Federal land in Clark County, Nevada, administered by the Department of the Interior or the Department of Agriculture; and
- (b) **EFFECTIVE DATE.**—The amendments made by subsection (a) take effect on January 31, 2003.
- (c) **WITHDRAWAL.**—Subject to valid existing rights, the land designated for disposal in this section is withdrawn from—
  - (1) all forms of entry, appropriation, and disposal under the public land laws;
  - (2) location, entry, and patent under the mining laws; and
  - (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

## **TITLE V—IVANPAH CORRIDOR**

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

- (a) **MANAGEMENT OF INTERSTATE ROUTE 15 CORRIDOR LAND.**—
  - (1) **IN GENERAL.**—The Secretary shall manage the land located along the Interstate Route 15 corridor south of the Las Vegas Valley to the border between the States of California and Nevada, generally depicted as Interstate 15 South Corridor on the map entitled Clark County Conservation of Public Land and Natural Resources Act of 2002 and dated October 1, 2002, in accordance with the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2343) and this section.
  - (2) **AVAILABILITY OF MAP.**—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.
  - (3) **MULTIPLE USE MANAGEMENT.**—Subject to any land management designations under the 1998 Las Vegas District Resource Management Plan or the Clark County Multi-Species Conservation Plan, land depicted on the map described in paragraph (1) shall be managed for multiple use purposes.
  - (4) **TERMINATION OF ADMINISTRATIVE WITHDRAWAL.**—The administrative withdrawal of the land identified as the Interstate 15 South Corridor on the map

entitled Clark County Conservation of Public Land and Natural Resources Act of 2002 and dated October 1, 2002, from mineral entry dated July 23, 1997, and as amended March 9, 1998, as further amended July 2, 2002, is terminated.

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

- (A) the Secretary terminates the withdrawal; or
- (B) the corridor or land, respectively, is patented.

(b) TRANSPORTATION AND UTILITIES CORRIDOR.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary, in consultation with the City of Henderson and the County, and in accordance with this section and other applicable laws and subject to valid existing rights, shall establish a 2,640-foot-wide corridor between the Las Vegas valley and the proposed Ivanpah Airport for the placement, on a nonexclusive basis, of utilities and transportation.

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

(1) IN GENERAL.—Subject to paragraph (2) and valid existing rights, on request by the County, the Secretary shall transfer to the County, without consideration, all right, title, and interest of the United States in and to the land identified as Ivanpah Airport noise compatibility area on the map entitled Clark County Conservation of Public Land and Natural Resources Act of 2002” and dated October 1, 2002.

(2) CONDITIONS FOR TRANSFER.—As a condition of the transfer under paragraph (1), the County shall agree—

(A) to manage the transferred land in accordance with section 47504 of title 49, United States Code (including regulations promulgated under that section); and

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

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

(I) subject to a limitation that requires that any use of the transferred land be consistent with the Agreement and section 47504 of title 49, United States Code (including regulations promulgated under that section); and

(II) for fair market value; and

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

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

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

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

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

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

(a) TEMPORARY WITHDRAWAL.—Subject to valid existing rights, any Federal land in an Area of Critical Environmental Concern that is designated for withdrawal under the 1998 Las Vegas Resource Management Plan, and which is not already withdrawn by the effect of this or any other Act, is hereby withdrawn from location, entry, and patent under the mining laws for a period not to exceed five years. The withdrawal shall lapse at the earlier—

(1) five years; or

(2) when the Secretary issues a final decision on each proposed withdrawal.

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

(c) MINERAL REPORT.—The mineral reports required by section 204(c)(12) of the Federal Land Policy and Management Act shall be the responsibility of the U.S. Geological Survey and shall be completed for each of the temporary withdrawals described in subsection (a) within four years of the date of enactment of this Act.

## TITLE VI—SLOAN CANYON NATIONAL CONSERVATION AREA

### SEC. 601. SHORT TITLE.

This title may be cited as the “Sloan Canyon National Conservation Area Act”.

### SEC. 602. PURPOSE.

The purpose of this title is to establish the Sloan Canyon National Conservation Area to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, educational, and scenic resources of the Conservation Area.

### SEC. 603. DEFINITIONS.

In this title:

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

(2) **FEDERAL PARCEL.**—The term “Federal parcel” means the parcel of Federal land consisting of approximately 500 acres that is identified as Tract A on the map entitled Southern Nevada Public Land Management Act and dated October 1, 2002.

(3) **MANAGEMENT PLAN.**—The term management plan means the management plan for the Conservation Area developed under section 605(b).

(4) **MAP.**—The term “map” means the map entitled Southern Nevada Public Land Management Act and dated October 1, 2002.

### SEC. 604. ESTABLISHMENT.

(a) **IN GENERAL.**—For the purpose described in section 602, there is established in the State a conservation area to be known as the Sloan Canyon National Conservation Area.

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

(c) **MAP AND LEGAL DESCRIPTION.**—

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

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

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

### SEC. 605. MANAGEMENT.

(a) **IN GENERAL.**—The Secretary, acting through the Director of the Bureau of Land Management, shall manage the Conservation Area—

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

(2) in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) other applicable law, including this Act.

(b) **MANAGEMENT PLAN.**—

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

(2) **REQUIREMENTS.**—The management plan shall—

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

(B)(i) authorize the use of motorized vehicles in the Conservation Area—

(I) for installing, repairing, maintaining, and reconstructing water development projects, including guzzlers, that would enhance the Conservation Area by promoting healthy, viable, and more naturally distributed wildlife populations; and

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

- (ii) include or provide recommendations on ways of minimizing the visual impacts of such activities on the Conservation Area;
- (C) include a plan for litter cleanup and public lands awareness campaign on public lands in and around the Conservation Area;
- (D) include a recommendation on the location for a right-of-way for rural—roadways or public trails to provide the city of Henderson with access to the Conservation Area, in accordance with the application numbered N—65874.
- (c) USES.—The Secretary shall allow only such uses of the Conservation Area that the Secretary determines will further the purpose described in section 602.
- (d) MOTORIZED VEHICLES.—Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Conservation Area shall be permitted only on roads and trails designated for the use of motorized vehicles by the management plan developed under subsection (b).
- (e) WITHDRAWAL.—
  - (1) IN GENERAL.—Subject to valid existing rights, all public land in the Conservation Area is withdrawn from—
    - (A) all forms of entry and appropriation under the public land laws;
    - (B) location, entry, and patent under the mining laws; and
    - (C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.
  - (2) ADDITIONAL LAND.—Notwithstanding any other provision of law, if the Secretary acquires mineral or other interests in a parcel of land within the Conservation Area after the date of enactment of this Act, the parcel is withdrawn from operation of the laws referred to in paragraph (1) on the date of acquisition of the land.
- (f) HUNTING, FISHING, AND TRAPPING.—
  - (1) IN GENERAL.—Nothing in this title affects the jurisdiction of the State with respect to fish and wildlife, including hunting, fishing, and trapping in the Conservation Area.
  - (2) LIMITATIONS.—
    - (A) REGULATIONS.—The Secretary may designate by regulation areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Conservation Area.
    - (B) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency before promulgating regulations under subparagraph (A) that close a portion of the Conservation Area to hunting, fishing, or trapping.
- (g) NO BUFFER ZONES.—
  - (1) IN GENERAL.—The establishment of the Conservation Area shall not create an express or implied protective perimeter or buffer zone around the Conservation Area.
  - (2) PRIVATE LAND.—If the use of, or conduct of an activity on, private land that shares a boundary with the Conservation Area is consistent with applicable law, nothing in this title concerning the establishment of the Conservation Area shall prohibit or limit the use or conduct of the activity.

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

- (a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713) and subject to valid existing rights, not later than 1 year after the date of enactment of this Act, the Secretary shall convey to the highest qualified bidder all right, title, and interest of the United States in and to the Federal parcel.
- (b) DISPOSITION OF PROCEEDS.—Of the gross proceeds from the conveyance of land under subsection (a)—
  - (1) 5 percent shall be available to the State for use in the general education program of the State; and
  - (2) the remainder shall be deposited in the special account established under the Southern Nevada Public Lands Management Act of 1998 (Public Law 105–263; 112 Stat. 2345), to be available to the Secretary, without further appropriation for—
    - (A) the construction and operation of facilities to support the management of the Conservation Area;
    - (B) the construction and repair of trails and roads in the Conservation Area authorized under the management plan;
    - (C) research on and interpretation of the archaeological and geological resources of the Conservation Area;
    - (D) conservation and research relating to the Conservation Area; and

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

**SEC. 607. RIGHT OF WAY.**

Not later than 180 days after the date of enactment of this Act, the Secretary shall convey to the City of Henderson the public right-of-way requested for public trail purposes under the application numbered N-76312.

## **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.

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

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

(B) to provide the public with opportunities for education and research in the field of high technology; and

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

(b) **TECHNOLOGY RESEARCH CENTER.—**

(1) **CONVEYANCE.—**Notwithstanding section 4(g)(4) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2347), the Clark County Department of Aviation may convey, without consideration, all right, title, and interest in and to the parcel of land described in paragraph (3) to the University of Nevada at Las Vegas Research Foundation (referred to in this section as “Foundation”) for the development of a technology research center.

(2) **CONDITION.—**The conveyance under paragraph (1) shall be subject to the condition that the Foundation enter into an agreement that if the land described in paragraph (3) is sold, leased, or otherwise conveyed by the Foundation.

(A) the Foundation shall sell, lease, or otherwise convey the land for fair market value;

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

(C) with respect to land identified on the map entitled “Las Vegas Valley, Nevada, Land Sales Map”, numbered 7306A, and dated May 1980, the proceeds from the sale, lease, or conveyance of the land identified on the map contributed to the special account by the Foundation under subparagraph (B) shall be used by the Secretary of Agriculture to acquire environmentally sensitive land in the Lake Tahoe Basin under section 3 of Public Law 96-586 (94 Stat. 3383);

(D) the Foundation shall contribute 5 percent of the gross proceeds from the sale, lease, or conveyance of the land to the State of Nevada for use in the general education program of the State; and

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

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

(A) consisting of approximately 115 acres; and

(B) located in the SAW¼ of section 33, T. 21 S., R. 60 E., Mount Diablo Base and Meridian.

**SEC. 703. CONVEYANCE TO THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT.**

The Secretary shall convey to the Las Vegas Metropolitan Police Department, without consideration, all right, title, and interest in and to the parcel of land identified as "Tract F" on the map for use as a shooting range.

**SEC. 704. CONVEYANCE TO THE CITY OF HENDERSON FOR THE NEVADA STATE COLLEGE AT HENDERSON.**

(a) **DEFINITIONS.**—In this section:

(1) **CHANCELLOR.**—The term Chancellor means the Chancellor of the University system.

(2) **CITY.**—The term City means the city of Henderson, Nevada.

(3) **COLLEGE.**—The term College means the Nevada State College at Henderson.

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

(5) **UNIVERSITY SYSTEM.**—The term University system means the University and Community College System of Nevada.

(b) **CONVEYANCE.**—

(1) **IN GENERAL.**—Notwithstanding the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and section 1(c) of the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act" ) (43 U.S.C. 869(c)), not later than 180 days after the date on which the survey is approved, the Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the parcel of Federal land identified as "Tract H" on the map for use as a campus for the College.

(2) **CONDITIONS.**—

(A) **IN GENERAL.**—As a condition of the conveyance under paragraph (1), the Chancellor and the City 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 which may arise from uses that are carried out on the Federal land on or before the date of enactment of this Act by the United States or any person;

(iv) as soon as practicable after the date of the conveyance under paragraph (1), to erect at the College an appropriate and centrally located monument that acknowledges the conveyance of the Federal land by the United States for the purpose of furthering the higher education of citizens in the State; and

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

(I) public land in the State; and

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

(B) **VALID EXISTING RIGHTS.**—The conveyance under paragraph (1) shall be subject to all valid existing rights.

(3) **USE OF FEDERAL LAND.**—

(A) **IN GENERAL.**—The College and the City may use the land conveyed under paragraph (1) for—

(i) any purpose relating to the establishment, operation, growth, and maintenance of the College.

(ii) any uses relating to such purposes, including residential and commercial development that would generally be associated with an institution of higher education.

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

(i) consistent with Federal and State law, lease or otherwise provide property or space at the College, with or without consideration, 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.—

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

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

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

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

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

(a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713) and subject to valid existing rights, not later than 240 days after the date of enactment of this Act, the Secretary shall convey as a single parcel to the highest qualified bidder all right, title, and interest of the United States in and to approximately 360 acres that is identified as the North Half (N½) of Section 7, Township 23 South, Range 61 East, M.D.B.&M., Clark County, Nevada and the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section 7, Township 23 South, Range 61 East, M.D.M., Clark County, Nevada, and shall include such lands within the disposal boundaries as identified on the map entitled “Southern Nevada Public Land Management Act” and dated June 10, 2002.

(b) DISPOSITION OF PROCEEDS.—Of the gross proceeds from the conveyance of land under subsection (a) shall be distributed pursuant to Public Law 105–263.

**SEC. 707. RELOCATION OF RIGHT-OF-WAY CORRIDOR IN CLARK AND LINCOLN COUNTIES.**

(a) RELINQUISHMENT OF UNITED STATES’ INTEREST.—Subject to subsection (b), the Secretary of the Interior shall relinquish all right, title, and interest of the United States in the entire right-of-way corridor as identified in section 5(b)(1) of Public Law 100–275 and described in section 14(a) of the Land Exchange Agreement entered into between Aerojet-General Corporation and the United States made effective as of July 14, 1988 (hereinafter referred to “Exchange Agreement”), together with that sufficient portion of the utility corridor identified in the Las Vegas Resource Management Plan (1998) lying southerly of the boundary of the lands described in the Exchange Agreement and a sufficient portion of said utility corridor identified in the Caliente Management Framework Plan Amendment (2000) lying northerly of the boundary of the lands described in the Exchange Agreement that are necessary and appropriate to relocate such relinquished interest to a new utility corridor being 1,000 feet in width, the centerline of said corridor being 1,000 feet westerly of and parallel to the centerline of United States Highway 93 while maintaining a gradual and smooth interconnection of the existing designated corridors with the relocated segment such that the 2 existing rights-of-way within this corridor may be relocated into the new corridor alignment with minimal engineering design changes.

(b) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the difference between the fair market value of that portion of the Aerojet lands encumbered by the corridor and the fair market value of such lands unencumbered by the corridor, which the difference shall be the fair market value of such corridor. Upon the Secretary’s receipt of title to lands or interests in lands having a fair market value equal to the fair market value of the corridor the Secretary shall concurrently relinquish the corridor in accordance with the provisions of this section.

(c) RELOCATION OF GRANT U–42519.—The Secretary shall, without consideration from the grant holder, relocate the entire portion of right-of-way grant U–42519 (also known as grant UTU–60642) lying within the relinquished portion of the corridor from the existing corridor to the relocated corridor in such a manner as to minimize engineering design changes.

(d) RELOCATION OF GRANT NVN–49781.—The Secretary shall, without consideration from the grant holder, relocate the entire portion of NVN–49781 (which is a portion of IDI–26446 and UTU–73363) lying with the relinquished portion of the

corridor from the existing corridor to the relocated corridor in such a manner as to minimize engineering design changes.

(e) **PERMITTED USES WITHIN UTILITY CORRIDOR.**—The Secretary may authorize the location of any and all above ground and below ground utility facilities within the relocated corridor, including, without limitation, transmission lines, gas pipelines, natural gas pipelines, fiber optics, telecommunications, water lines, wells (including monitoring wells), cable television, together with all related appurtenances.

(f) **WAIVER OF CERTAIN REQUIREMENTS.**—The relocation of the utility corridor and rights-of-ways under this section shall be subject to the following:

(1) Shall not require the Secretary to update either the 1998 Las Vegas Valley Resource Management Plan or the Caliente Management Framework Plan Amendment.

(2) Shall not require the Secretary to undertake any further environmental assessment work prior to relocation of the corridor or the rights-of-ways.

(3) The Secretary shall waive the requirements of FLPMA that would otherwise be applicable to the holders of the rights-of-way for an amendment to the legal description of the respective rights-of-ways.

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

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

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

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

For purposes of this title:

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

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

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

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

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

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

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act and in accordance with all applicable law, the Secretary shall convey all right, title, and interest in and to the lands and features of the Humboldt Project, as generally depicted on the map entitled the “Humboldt Project Conveyance Act”, and dated July 3, 2002, including all water rights for storage and diversion, to PCWCD, the State, Pershing County, and Lander County, consistent with the terms and conditions set forth in the Memorandum of Agreement between PCWCD and Lander County dated January 24, 2000, the Conceptual Agreement between PCWCD and the State dated October 18, 2001, the Letter of Agreement between Pershing County and the State dated April 16, 2002, and any agreements between the Bureau of Reclamation and PCWCD.

(b) **MAP.**—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a map of the Humboldt Project Conveyance. In case of a conflict between the map referred to in subsection (a) and the map submitted by the Secretary, the map referred to in subsection (b) shall control. The map shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in such map and legal description. Copies of the map shall be on file and available for public inspection in the Office of the Commissioner of the Bureau of Reclamation and in the office of the Area Manager of the Bureau of Reclamation in Carson City, Nevada.

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

(d) **REPORT.**—If the conveyance required by this section has not been completed within 18 months after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate that describes—

(1) the status of the conveyance;

(2) any obstacles to completion of the conveyance; and

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

**SEC. 804. PAYMENT.**

(a) **IN GENERAL.**—As consideration for any conveyance required by section 803, PCWCD shall pay to the United States the net present value of miscellaneous revenues associated with the lands and facilities to be conveyed.

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

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

(d) **REAL ESTATE TRANSFER COSTS.**—As a condition of any conveyance of any land or facility required by section 803, costs of all boundary surveys, title searches, cadastral surveys, appraisals, and other real estate transactions required for the conveyance shall be paid by the entity receiving title to the land or facility.

(e) **NEPA COSTS.**—Costs associated with any review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for conveyance of any land or facility under section 803 shall be paid in equal shares by the Secretary and the entity receiving title to the land or facility.

(f) **STATE OF NEVADA.**—The State shall not be responsible for any payments for land or facilities under this section. Any proposal by the State to reconvey to another entity land conveyed by the Secretary under this title shall be pursuant to an agreement with the Secretary providing for fair market value to the United States for the lands, and for continued management of the lands for recreation, wildlife habitat, wetlands, or resource conservation.

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

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

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

Effective on the date of the conveyance required by section 803, the Secretarial Orders dated March 16, 1934, and April 6, 1956, that withdrew public lands for the Rye Patch Reservoir and the Humboldt Sink, are hereby revoked.

**SEC. 807. LIABILITY.**

Effective on the date of the conveyance required by section 803, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the Humboldt Project, except for damages caused by acts of negligence committed by the United States or by its employees or agents prior to the date of conveyance. Nothing in this section shall be considered to increase the liability of the United States beyond that currently provided in chapter 171 of title 28, United States Code, popularly known as the Federal Tort Claims Act.

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

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

**SEC. 809. FUTURE BENEFITS.**

Upon conveyance of the lands and facilities by the Secretary under this title, the Humboldt Project shall no longer be a Federal reclamation project and the district shall not be entitled to receive any future reclamation benefits with respect to that project, except those benefits 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 enactment of this subsection—

“(A) shall be deposited in the special 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—

“(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this section;

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

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

“(4) TIMING.—Not later than 90 days after the date of enactment of this section, the Secretary shall complete the sale of any parcel authorized to be conveyed pursuant to this section and for which the Secretary has received notification from the city under subsection (d)(1).”; and

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

“(v) sec. 7.”.

#### PURPOSE OF THE BILL

The purpose of H.R. 5200 is to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada.

#### BACKGROUND AND NEED FOR LEGISLATION

To better address the unprecedented growth of Las Vegas, Nevada, and its effects on surrounding federal lands in Clark County, Nevada, H.R. 5200 (as introduced) would authorize the Secretary of the Interior with the following authority: (1) to designate a number of wilderness areas in Clark County; (2) to release wilderness studies areas for multiple use management; (3) to provide several conveyances of Bureau of Land Management (BLM) land to various local governmental and educational entities; (4) to designate BLM land to the Sloan Canyon National Conservation Area; (5) to establish a corridor along Interstate 15 between Las Vegas and the California border for a utility and transportation corridor between Las Vegas and the proposed Ivanpah airport, and (6) designate some BLM lands north of Las Vegas for disposal under the Southern Nevada Public Land Management Act.

#### COMMITTEE ACTION

H.R. 5200 was introduced on July 24, 2002, by Congressman Jim Gibbons (R-NV). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation, and Public Lands, the Subcommittee on Forests and Forest Health and the Subcommittee on Fisheries Conservation, Wildlife and Oceans. On October 8, 2002, the Full Resources Committee met to consider the bill. The three Subcommittees were discharged from further consideration of H.R. 5200 by unanimous consent. Congressman Gibbons offered an amendment in the nature of a substitute that made the following changes to the original text: (1) removed provisions regarding the planned community development within the Ivanpah Corridor and the Henderson Economic Development Zone; (2) removed the “hard release” language concerning released wilderness study areas; (3) modified the water rights provision so as not to affect existing water rights and removed any reference to reserved federal water rights, and (4) added two new titles—the Red Rock National Conservation Area and the Humboldt Project Conveyance—reflective of separate legislation approved by the House of Representatives affecting Nevada public lands. It was adopted by voice vote. The bill as amended was then ordered favorably reported to the House of Representatives by voice vote.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3, of the Constitution of the United States grants Congress the authority to enact this bill.

## COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. The Committee believes that enactment of this bill will have little impact on the federal budget.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, credit authority, or an increase or decrease in tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of the Congressional Budget Office.

## COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

## PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

**SECTION 3 OF THE RED ROCK CANYON NATIONAL  
CONSERVATION AREA ESTABLISHMENT ACT OF 1990**

**SEC. 3. ESTABLISHMENT OF THE CONSERVATION AREA.**

(a) IN GENERAL.—(1) \* \* \*

(2) The conservation area shall consist of approximately 195,780 acres as generally depicted on the map entitled “Red Rock Canyon National Conservation Area Administrative Boundary Modification”, dated August 8, 1996, *and such additional areas as are included in the conservation area pursuant to the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002.*

\* \* \* \* \*

**SECTION 4 OF THE SOUTHERN NEVADA PUBLIC LAND  
MANAGEMENT ACT OF 1998**

**SEC. 4. DISPOSAL AND EXCHANGE.**

(a) DISPOSAL.—Notwithstanding the land use planning requirements contained in sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712), the Secretary, in accordance with this Act, the Federal Land Policy and Management Act of 1976, and other applicable law, and subject to valid existing rights, is authorized to dispose of lands within the boundary of the area under the jurisdiction of the Director of the Bureau of Land Management in Clark County, Nevada, as generally depicted on the map [entitled “Las Vegas Valley, Nevada,

Land Disposal Map”, dated April 10, 1997] *entitled Southern Nevada Public Land Management Act, dated October 1, 2002.* Such map shall be on file and available for public inspection in the offices of the Director and the Las Vegas District of the Bureau of Land Management.

\* \* \* \* \*  
 (e) DISPOSITION OF PROCEEDS.—

(1) \* \* \*  
 \* \* \* \* \*

(3) AVAILABILITY OF SPECIAL ACCOUNT.—  
 (A) IN GENERAL.—Amounts deposited in the special account may be expended by the Secretary for—

(i) \* \* \*  
 \* \* \* \* \*

(iv) development of parks, trails, and natural areas in Clark County, Nevada, pursuant to a cooperative agreement with a unit of local government[; and] or regional governmental entity;

(v) up to 10 percent of amounts available, to be used for conservation initiatives on Federal land in Clark County, Nevada, administered by the Department of the Interior or the Department of Agriculture; and

[(v)] (vi) reimbursement of costs incurred by the local offices of the Bureau of Land Management in arranging sales or exchanges under this Act.

\* \* \* \* \*

**SECTION 3 OF THE ACT OF OCTOBER 27, 1986**

(Public Law 99-548)

**SEC. 3. NOTIFICATION AND SALE PERIODS.**

(a) \* \* \*  
 \* \* \* \* \*

(d) FOURTH AREA.—(1) \* \* \*  
 \* \* \* \* \*

(3) *USE OF PROCEEDS.*—*The proceeds of the sale of each parcel completed after the date of enactment of this subsection—*

*(A) shall be deposited in the special 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—*

*(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this section;*

*(ii) for the development of a multispecies habitat conservation plan for the Virgin River in Clark County, Nevada, including any associated groundwater monitoring plan; and*

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

(4) *TIMING.*—Not later than 90 days after the date of enactment of this section, the Secretary shall complete the sale of any parcel authorized to be conveyed pursuant to this section and for which the Secretary has received notification from the city under subsection (d)(1).

\* \* \* \* \*

(f) **SIXTH AREA.**—

(1) \* \* \*

(2) **LAND DESCRIPTION.**—The parcels of land referred to in paragraph (1) are as follows:

(A) \* \* \*

(B) In T. 14 S., R. 69 E., Mount Diablo Meridian, Nevada:

(i) **Sec. 4.**

\* \* \* \* \*

(v) **sec. 7.**

\* \* \* \* \*

