

108TH CONGRESS
1ST SESSION

S. 490

AN ACT

To direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. WASHOE TRIBE LAND CONVEYANCE.**

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

3 (1) to implement the joint local, State, tribal,
4 and Federal objective of returning the Tribe to Lake
5 Tahoe; and

6 (2) to ensure that members of the Tribe have
7 the opportunity to engage in traditional and cus-
8 tomary cultural practices on the shore of Lake
9 Tahoe to meet the needs of spiritual renewal, land
10 stewardship, Washoe horticulture and ethnobotany,
11 subsistence gathering, traditional learning, and re-
12 unification of tribal and family bonds.

13 (b) **CONVEYANCE ON CONDITION SUBSEQUENT.**—

14 Subject to valid existing rights, the easement reserved
15 under subsection (d), and the condition stated in sub-
16 section (e), the Secretary of Agriculture shall convey to
17 the Secretary of the Interior, in trust for the Tribe, for
18 no consideration, all right, title, and interest in the parcel
19 of land comprising approximately 24.3 acres, located with-
20 in the Lake Tahoe Basin Management Unit north of
21 Skunk Harbor, Nevada, and more particularly described
22 as Mount Diablo Meridian, T15N, R18E, section 27,
23 lot 3.

24 (c) **EASEMENT.**—

25 (1) **IN GENERAL.**—The conveyance under sub-
26 section (c) shall be made subject to reservation to

1 the United States of a nonexclusive easement for
 2 public and administrative access over Forest Devel-
 3 opment Road #15N67 to National Forest System
 4 land, to be administered by the Secretary of Agri-
 5 culture.

6 (2) ACCESS BY INDIVIDUALS WITH DISABIL-
 7 TIES.—The Secretary of Agriculture shall provide a
 8 reciprocal easement to the Tribe permitting vehic-
 9 ular access to the parcel over Forest Development
 10 Road #15N67 to—

11 (A) members of the Tribe for administra-
 12 tive and safety purposes; and

13 (B) members of the Tribe who, due to age,
 14 infirmity, or disability, would have difficulty ac-
 15 cessing the conveyed parcel on foot.

16 (d) CONDITION ON USE OF LAND.—

17 (1) IN GENERAL.—In using the parcel conveyed
 18 under subsection (c), the Tribe and members of the
 19 Tribe—

20 (A) shall limit the use of the parcel to tra-
 21 ditional and customary uses and stewardship
 22 conservation for the benefit of the Tribe;

23 (B) shall not permit any permanent resi-
 24 dential or recreational development on, or com-
 25 mercial use of, the parcel (including commercial

1 development, tourist accommodations, gaming,
2 sale of timber, or mineral extraction); and

3 (C) shall comply with environmental re-
4 quirements that are no less protective than en-
5 vironmental requirements that apply under the
6 Regional Plan of the Tahoe Regional Planning
7 Agency.

8 (2) TERMINATION AND REVERSION.—If the
9 Secretary of the Interior, after notice to the Tribe
10 and an opportunity for a hearing, based on moni-
11 toring of use of the parcel by the Tribe, makes a
12 finding that the Tribe has used or permitted the use
13 of the parcel in violation of paragraph (1) and the
14 Tribe fails to take corrective or remedial action di-
15 rected by the Secretary of the Interior—

16 (A) title to the parcel in the Secretary of
17 the Interior, in trust for the Tribe, shall termi-
18 nate; and

19 (B) title to the parcel shall revert to the
20 Secretary of Agriculture.

Passed the Senate July 17, 2003.

Attest:

Secretary.

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