

113TH CONGRESS
2^D SESSION

H. R. 2954

IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 2014

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance.

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. SHORT TITLE.**

2 This Act may be cited as the “Public Access and
3 Lands Improvement Act”.

4 **TITLE I—SANTA ROSA ISLAND**
5 **TITLE FAIRNESS AND LAND**
6 **PRESERVATION ACT**

7 **SEC. 101. SHORT TITLE.**

8 This title may be cited as the “Santa Rosa Island
9 Title Fairness and Land Preservation Act”.

10 **SEC. 102. CONVEYANCE OF PROPERTY.**

11 (a) CONVEYANCE FREE OF RESTRICTIONS.—Not-
12 withstanding the restrictions on conveyance of property lo-
13 cated on Santa Rosa Island, Florida, contained in the Act
14 of July 30, 1946 (chapter 699; 70 Stat. 712), and the
15 deed to the property from the United States to Escambia
16 County, Florida, dated January 15, 1947, Escambia
17 County may, at its discretion, convey or otherwise dispose
18 of all of its right, title, and interest (in whole or in part),
19 in and to any portion of the property that was conveyed
20 to it pursuant to that Act and deed, to any person or enti-
21 ty, free from any restriction on conveyance or reconvey-
22 ance imposed by the United States in that Act or deed.
23 Any conveyance under this subsection shall be subject to
24 the conditions set forth in subsection (c).

25 (b) LEASEHOLD INTERESTS.—No person or entity
26 holding a leasehold interest in the property as of the date

1 of the enactment of this Act shall be required to involun-
2 tarily accept a fee interest in lieu of their leasehold inter-
3 est in the property.

4 (c) CONDITIONS.—Any conveyance under subsection
5 (a) shall be subject to the following conditions:

6 (1) Not later than two calendar years after the
7 date of the enactment of this Act, Escambia County
8 shall convey to Santa Rosa County all right, title,
9 and interest held in and to any portion of the prop-
10 erty that was conveyed to Escambia County under
11 the Act and deed that fall in the jurisdictional
12 boundaries of Santa Rosa County, Florida. The con-
13 veyance by Escambia County to Santa Rosa County
14 shall be absolute and shall terminate any subjugation
15 of Santa Rosa County to Escambia County or
16 any regulation of Santa Rosa County by Escambia
17 County. Santa Rosa County shall not be required to
18 pay any sum for the subject property other than ac-
19 tual costs associated with the conveyance.

20 (2) Santa Rosa County or any other person to
21 which property is conveyed under this title may re-
22 convey property, or any portion of property, con-
23 veyed to it under this section.

24 (3) For all properties defined under subsection
25 (a) the leaseholders, or owners are free to pursue in-

1 corporation, annexation, or any other governmental
2 status so long as all other legal conditions required
3 for doing so are followed.

4 (4) Each property defined under subsection (a)
5 is under the jurisdiction of the county and any other
6 local government entity in which the property is lo-
7 cated.

8 (5) Any proceeds from the conveyance of any
9 property defined under subsection (a) by Escambia
10 County or Santa Rosa County, other than direct and
11 incidental costs associated with such conveyance,
12 shall be considered windfall profits and shall revert
13 to the United States.

14 (6) Escambia County and Santa Rosa County
15 shall in perpetuity preserve those areas on Santa
16 Rosa Island currently dedicated to conservation,
17 preservation, public, recreation, access and public
18 parking in accordance with resolutions heretofore
19 adopted by the Board of County Commissioners of
20 each respective county.

21 (d) DETERMINATION OF COMPLIANCE.—Escambia
22 County and Santa Rosa County shall have no deadline or
23 requirement to make any conveyance or reconveyance of
24 any property defined under subsection (a) other than the
25 conveyance required under subsection (c)(1). Each county

1 may establish terms for conveyance or reconveyance, sub-
2 ject to the conditions set forth in this title and applicable
3 State law.

4 **TITLE II—ANCHORAGE LAND** 5 **CONVEYANCE ACT**

6 **SEC. 201. SHORT TITLE.**

7 This title may be cited as the “Anchorage Land Con-
8 veyance Act of 2014”.

9 **SEC. 202. DEFINITIONS.**

10 In this title:

11 (1) CITY.—The term “City” means the city of
12 Anchorage, Alaska.

13 (2) NON-FEDERAL LAND.—The term “non-Fed-
14 eral land” means certain parcels of land located in
15 the City and owned by the City, which are more par-
16 ticularly described as follows:

17 (A) Block 42, Original Townsite of An-
18 chorage, Anchorage Recording District, Third
19 Judicial District, State of Alaska, consisting of
20 approximately 1.93 acres, commonly known as
21 the Egan Center, Petrovich Park, and Old City
22 Hall.

23 (B) Lots 9, 10, and 11, Block 66, Original
24 Townsite of Anchorage, Anchorage Recording
25 District, Third Judicial District, State of Alas-

1 ka, consisting of approximately 0.48 acres, com-
2 monly known as the parking lot at 7th Avenue
3 and I Street.

4 (C) Lot 13, Block 15, Original Townsite of
5 Anchorage, Anchorage Recording District,
6 Third Judicial District, State of Alaska, con-
7 sisting of approximately 0.24 acres, an unim-
8 proved vacant lot located at H Street and
9 Christensen Drive.

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

12 **SEC. 203. CONVEYANCE OF REVERSIONARY INTERESTS, AN-**
13 **CHORAGE, ALASKA.**

14 (a) IN GENERAL.—Notwithstanding any other provi-
15 sion of law, the Secretary shall convey to the City, without
16 consideration, the reversionary interests of the United
17 States in and to the non-Federal land for the purpose of
18 unencumbering the title to the non-Federal land to enable
19 economic development of the non-Federal land.

20 (b) LEGAL DESCRIPTIONS.—As soon as practicable
21 after the date of enactment of this Act, the exact legal
22 descriptions of the non-Federal land shall be determined
23 in a manner satisfactory to the Secretary.

24 (c) ADDITIONAL TERMS AND CONDITIONS.—The
25 Secretary may require such additional terms and condi-

1 tions to the conveyance under subsection (a) as the Sec-
2 retary considers appropriate to protect the interests of the
3 United States.

4 (d) COSTS.—The City shall pay all costs associated
5 with the conveyance under subsection (a), including the
6 costs of any surveys, recording costs, and other reasonable
7 costs.

8 **TITLE III—FERNLEY ECONOMIC** 9 **SELF-DETERMINATION ACT**

10 **SEC. 301. DEFINITIONS.**

11 In this title:

12 (1) CITY.—The term “City” means the City of
13 Fernley, Nevada.

14 (2) FEDERAL LAND.—The term “Federal land”
15 means the approximately 9,407 acres of land located
16 in the City of Fernley, Nevada, that is identified by
17 the Secretary and the City for conveyance under this
18 title.

19 (3) MAP.—The term “map” means the map en-
20 titled “Proposed Fernley, Nevada, Land Sales” and
21 dated January 25, 2013.

22 **SEC. 302. CONVEYANCE OF CERTAIN FEDERAL LAND TO** 23 **CITY OF FERNLEY, NEVADA.**

24 (a) CONVEYANCE AUTHORIZED.—Subject to valid ex-
25 isting rights and not later than 180 days after the date

1 on which the Secretary of the Interior receives an offer
2 from the City to purchase the Federal land depicted on
3 the map, the Secretary, acting through the Bureau of
4 Land Management and the Bureau of Reclamation, shall
5 convey, notwithstanding the land use planning require-
6 ments of sections 202 and 203 of the Federal Land Policy
7 and Management Act of 1976 (43 U.S.C. 1712, 1713),
8 to the City in exchange for consideration in an amount
9 equal to the fair market value of the Federal land, all
10 right, title, and interest of the United States in and to
11 such Federal land.

12 (b) APPRAISAL TO DETERMINE FAIR MARKET
13 VALUE.—The Secretary shall determine the fair market
14 value of the Federal land to be conveyed—

15 (1) in accordance with the Federal Land Policy
16 and Management Act of 1976 (43 U.S.C. 1701 et
17 seq.); and

18 (2) based on an appraisal that is conducted in
19 accordance with nationally recognized appraisal
20 standards, including—

21 (A) the Uniform Appraisal Standards for
22 Federal Land Acquisition; and

23 (B) the Uniform Standards of Professional
24 Appraisal Practice.

1 (c) AVAILABILITY OF MAP.—The map shall be on file
2 and available for public inspection in the appropriate of-
3 fices of the Bureau of Land Management.

4 (d) RESERVATION OF EASEMENTS AND RIGHTS-OF-
5 WAY.—The City and the Bureau of Reclamation may re-
6 tain easements or rights-of-way on the Federal land to be
7 conveyed, including easements or rights-of-way the Bu-
8 reau of Reclamation determines are necessary to carry
9 out—

10 (1) the operation and maintenance of the
11 Truckee Canal; or

12 (2) the Newlands Project.

13 (e) COSTS.—The City shall, at closing for the convey-
14 ance authorized under subsection (a), pay or reimburse
15 the Secretary, as appropriate, for the reasonable trans-
16 action and administrative personnel costs associated with
17 the conveyance authorized under such subsection, includ-
18 ing the costs of appraisal, title searches, maps, and bound-
19 ary and cadastral surveys.

20 (f) CONVEYANCE NOT A MAJOR FEDERAL ACTION.—
21 A conveyance or a combination of conveyances made under
22 this section shall not be considered a major Federal action
23 for purposes of section 102(2) of the National Environ-
24 mental Policy Act of 1969 (42 U.S.C. 4332(2)).

1 **SEC. 303. RELEASE OF UNITED STATES.**

2 Upon making the conveyance under section 302, not-
3 withstanding any other provision of law, the United States
4 is released from any and all liabilities or claims of any
5 kind or nature arising from the presence, release, or threat
6 of release of any hazardous substance, pollutant, contami-
7 nant, petroleum product (or derivative of a petroleum
8 product of any kind), solid waste, mine materials or min-
9 ing related features (including tailings, overburden, waste
10 rock, mill remnants, pits, or other hazards resulting from
11 the presence of mining related features) on the Federal
12 land in existence on or before the date of the conveyance.

13 **SEC. 304. WITHDRAWAL.**

14 Subject to valid existing rights, the Federal land to
15 be conveyed under section 302 of this title shall be with-
16 drawn from all forms of—

17 (1) entry, appropriation, or disposal under the
18 public land laws;

19 (2) location, entry, and patent under the mining
20 laws; and

21 (3) disposition under the mineral leasing, min-
22 eral materials, and geothermal leasing laws.

1 **TITLE IV—LAND DISPOSAL**
2 **TRANSPARENCY AND EFFI-**
3 **CIENCY ACT**

4 **SEC. 401. PROHIBITION ON ACQUISITION OF LAND.**

5 (a) **SHORT TITLE.**—This title may be cited as the
6 “Land Disposal Transparency and Efficiency Act”.

7 (b) **PROHIBITION ON ACQUISITION OF LAND.**—No
8 land or interests in land may be added by acquisition, do-
9 nation, transfer of administrative jurisdiction, or other-
10 wise to the inventory of land and interests in land adminis-
11 tered by the Bureau of Land Management until a central-
12 ized database of all lands identified as suitable for disposal
13 by Resource Management Plans for lands under the ad-
14 ministrative jurisdiction of the Bureau is easily accessible
15 to the public on a website of the Bureau. The database
16 required under this subsection shall be updated and main-
17 tained to reflect changes in the status of lands identified
18 for disposal under the administrative jurisdiction of the
19 Bureau.

20 (c) **REPORT.**—Not later than 90 days after the date
21 of the enactment of this Act, the Secretary of the Interior
22 shall provide to the Committee on Natural Resources in
23 the House of Representatives and the Committee on En-
24 ergy and Natural Resources in the Senate a report detail-

1 ing the status and timing for completion of the database
2 required by subsection (b).

3 **TITLE V—PRESERVING ACCESS**
4 **TO CAPE HATTERAS NA-**
5 **TIONAL SEASHORE REC-**
6 **REATIONAL AREA ACT**

7 **SEC. 501. SHORT TITLE.**

8 This title may be cited as the “Preserving Access to
9 Cape Hatteras National Seashore Recreational Area Act”.

10 **SEC. 502. REINSTATEMENT OF INTERIM MANAGEMENT**
11 **STRATEGY.**

12 (a) **MANAGEMENT.**—After the date of the enactment
13 of this Act, Cape Hatteras National Seashore Recreational
14 Area shall be managed in accordance with the Interim
15 Protected Species Management Strategy/Environmental
16 Assessment issued by the National Park Service on June
17 13, 2007, for the Cape Hatteras National Seashore Rec-
18 reational Area, North Carolina, unless the Secretary of the
19 Interior (hereafter in this title referred to as the “Sec-
20 retary”) issues a new final rule that meets the require-
21 ments set forth in section 503.

22 (b) **RESTRICTIONS.**—The Secretary shall not impose
23 any additional restrictions on pedestrian or motorized ve-
24 hicular access to any portion of Cape Hatteras National
25 Seashore Recreational Area for species protection beyond

1 those in the Interim Management Strategy, other than as
2 specifically authorized pursuant to section 503 of this title.

3 **SEC. 503. ADDITIONAL RESTRICTIONS ON ACCESS TO CAPE**
4 **HATTERAS NATIONAL SEASHORE REC-**
5 **REATIONAL AREA FOR SPECIES PROTEC-**
6 **TION.**

7 (a) IN GENERAL.—If, based on peer-reviewed science
8 and after public comment, the Secretary determines that
9 additional restrictions on access to a portion of the Cape
10 Hatteras National Seashore Recreational Area are nec-
11 essary to protect species listed as endangered under the
12 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),
13 the Secretary may only restrict, by limitation, closure,
14 buffer, or otherwise, pedestrian and motorized vehicular
15 access for recreational activities for the shortest possible
16 time and on the smallest possible portions of the Cape
17 Hatteras National Seashore Recreational Area.

18 (b) LIMITATION ON RESTRICTIONS.—Restrictions
19 imposed under this section for protection of species listed
20 as endangered under the Endangered Species Act of 1973
21 (16 U.S.C. 1531 et seq.) shall not be greater than the
22 restrictions in effect for that species at any other National
23 Seashore.

24 (c) CORRIDORS AROUND CLOSURES.—To the max-
25 imum extent possible, the Secretary shall designate pedes-

1 trian and vehicular corridors of minimal distance on the
2 beach or interdunal area around closures implemented
3 under this section to allow access to areas not closed.

4 **SEC. 504. INAPPLICABILITY OF FINAL RULE AND CONSENT**
5 **DECREE.**

6 (a) FINAL RULE.—The final rule titled “Special Reg-
7 ulations, Areas of the National Park System, Cape Hat-
8 teras National Seashore—Off-Road Vehicle Management”
9 (77 Fed. Reg. 3123–3144) shall have no force or effect
10 after the date of the enactment of this Act.

11 (b) CONSENT DECREE.—The April 30, 2008, consent
12 decree filed in the United States District Court for the
13 Eastern District of North Carolina regarding off-road ve-
14 hicle use at Cape Hatteras National Seashore in North
15 Carolina shall not apply after the date of the enactment
16 of this Act.

17 **TITLE VI—GREEN MOUNTAIN**
18 **LOOKOUT HERITAGE PRO-**
19 **TECTION ACT**

20 **SEC. 601. SHORT TITLE.**

21 This title may be cited as the “Green Mountain Look-
22 out Heritage Protection Act”.

1 **SEC. 602. CLARIFICATION OF LEGAL AUTHORITY OF GREEN**
2 **MOUNTAIN LOOKOUT.**

3 (a) LEGAL AUTHORITY OF LOOKOUT.—Section 4(b)
4 of the Washington State Wilderness Act of 1984 (Public
5 Law 98–339; 98 Stat. 300; 16 U.S.C. 1131 note) is
6 amended by striking the period at the end and inserting
7 the following: “, and except that with respect to the lands
8 described in section 3(5), the designation of such lands
9 as a wilderness area shall not preclude the operation and
10 maintenance of Green Mountain Lookout.”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 this section shall take effect as if included in the enact-
13 ment of the Washington State Wilderness Act of 1984.

14 **SEC. 603. PRESERVATION OF GREEN MOUNTAIN LOOKOUT**
15 **LOCATION.**

16 The Secretary of Agriculture, acting through the
17 Chief of the Forest Service, may not move Green Moun-
18 tain Lookout from its current location on Green Mountain
19 in the Mount Baker-Snoqualmie National Forest unless
20 the Secretary determines that moving Green Mountain
21 Lookout is necessary to preserve the Lookout or to ensure
22 the safety of individuals on or around Green Mountain.
23 If the Secretary makes such a determination, the Sec-
24 retary shall move the Green Mountain Lookout to a loca-
25 tion outside of the lands described in section 3(5) of the

1 Washington State Wilderness Act of 1984 and designated
2 as a wilderness area in section 4(b) of such Act.

3 **TITLE VII—RIVER PADDLING**
4 **PROTECTION ACT**

5 **SEC. 701. SHORT TITLE.**

6 This title may be cited as the “River Paddling Protec-
7 tion Act”.

8 **SEC. 702. REGULATIONS SUPERSEDED.**

9 (a) IN GENERAL.—The rivers and streams of Yellow-
10 stone National Park and Grand Teton National Park shall
11 be open to hand-propelled vessels as determined by the
12 director of the National Park Service within 3 years of
13 the date of enactment of this Act. Beginning on the date
14 that is 3 years after the date of enactment of this Act,
15 the following regulations shall have no the force or effect
16 regarding closing rivers and streams of Yellowstone Na-
17 tional Park and Grand Teton National Park to hand-pro-
18 pelled vessels:

19 (1) Section 7.13(d)(4)(ii) of title 36, Code of
20 Federal Regulations, regarding vessels on streams
21 and rivers in Yellowstone National Park.

22 (2) Section 7.22(e)(3) of title 36, Code of Fed-
23 eral Regulations, regarding vessels on lakes and riv-
24 ers in Grand Teton National Park.

1 (b) COORDINATION OF RECREATIONAL USE.—The
2 Fish and Wildlife Service shall coordinate any recreational
3 use of hand-propelled vessels on the Gros Ventre River
4 within the National Elk Refuge with Grand Teton Na-
5 tional Park to ensure such use is consistent with the re-
6 quirements of the National Wildlife Refuge Administra-
7 tion Act.

8 **TITLE VIII—GRAZING** 9 **IMPROVEMENT ACT**

10 **SEC. 801. SHORT TITLE.**

11 This title may be cited as the “Grazing Improvement
12 Act”.

13 **SEC. 802. TERMS OF GRAZING PERMITS AND LEASES.**

14 Section 402 of the Federal Land Policy and Manage-
15 ment Act of 1976 (43 U.S.C. 1752) is amended—

16 (1) by striking “ten years” each place it ap-
17 pears and inserting “20 years”; and

18 (2) after subsection (h), insert the following
19 new subsections:

20 “(i) Only applicants, permittees and lessees whose in-
21 terest in grazing livestock is directly affected by a final
22 grazing decision concerning renewal, transfer or
23 reissuance of a grazing permit or lease may appeal the
24 decision to an administrative law judge or appeal officer
25 as applicable.

1 “(j) LEGAL FEES.—

2 “(1) Any person, other than a directly affected
3 party, challenging an action of the Secretary con-
4 cerned regarding a final grazing decision in Federal
5 court who is not a prevailing party shall pay to the
6 prevailing parties (including a directly affected party
7 who intervenes in such suit) fees and other expenses
8 incurred by that party in connection with the chal-
9 lenge unless the Court finds that the position of the
10 person was substantially justified.

11 “(2) For purposes of this subsection, the term
12 “directly affected party” means any applicant, per-
13 mittee, or lessee (or any organization representing
14 applicants, permittees or lessees) whose interest in
15 grazing livestock is directly affected by the final
16 grazing decision.”.

17 **SEC. 803. RENEWAL, TRANSFER, AND REISSUANCE OF**
18 **GRAZING PERMITS AND LEASES.**

19 (a) AMENDMENT.—Title IV of the Federal Land Pol-
20 icy and Management Act of 1976 (43 U.S.C. 1751 et seq.)
21 is amended by adding at the end the following:

22 **“SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF**
23 **GRAZING PERMITS AND LEASES.**

24 “(a) DEFINITIONS.—In this section:

1 “(1) CURRENT GRAZING MANAGEMENT.—The
2 term ‘current grazing management’ means grazing
3 in accordance with the terms and conditions of an
4 existing permit or lease.

5 “(2) SECRETARY CONCERNED.—The term ‘Sec-
6 retary concerned’ means—

7 “(A) the Secretary of Agriculture, with re-
8 spect to National Forest System land; and

9 “(B) the Secretary of the Interior, with re-
10 spect to land under the jurisdiction of the De-
11 partment of the Interior.

12 “(b) RENEWAL, TRANSFER, REISSUANCE, AND
13 PENDING PROCESSING.—A grazing permit or lease issued
14 by the Secretary of the Interior, or a grazing permit issued
15 by the Secretary of Agriculture regarding National Forest
16 System land, that expires, is transferred, or is waived shall
17 be renewed or reissued under, as appropriate—

18 “(1) section 402;

19 “(2) section 19 of the Act of April 24, 1950
20 (commonly known as the ‘Granger-Thye Act’; 16
21 U.S.C. 580l);

22 “(3) title III of the Bankhead-Jones Farm Ten-
23 ant Act (7 U.S.C. 1010 et seq.); or

24 “(4) section 510 the California Desert Protec-
25 tion Act of 1994 (16 U.S.C. 410aaa–50).

1 “(c) TERMS; CONDITIONS.—The terms and condi-
2 tions (except the termination date) contained in an ex-
3 pired, transferred, or waived permit or lease described in
4 subsection (b) shall continue in effect under a renewed or
5 reissued permit or lease until the date on which the Sec-
6 retary concerned completes the processing of the renewed
7 or reissued permit or lease that is the subject of the ex-
8 pired, transferred, or waived permit or lease, in compli-
9 ance with each applicable law.

10 “(d) CANCELLATION; SUSPENSION; MODIFICA-
11 TION.—Notwithstanding subsection (c), a permit or lease
12 described in subsection (b) may be cancelled, suspended,
13 or modified in accordance with applicable law.

14 “(e) RENEWAL TRANSFER REISSUANCE AFTER
15 PROCESSING.—When the Secretary concerned has com-
16 pleted the processing of the renewed or reissued permit
17 or lease that is the subject of the expired, transferred, or
18 waived permit or lease, the Secretary concerned shall
19 renew or reissue the permit or lease for a term of 20 years
20 after completion of processing.

21 “(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL
22 POLICY ACT OF 1969.—The renewal, reissuance, or trans-
23 fer of a grazing permit or lease by the Secretary concerned
24 shall be categorically excluded from the requirement to

1 prepare an environmental assessment or an environmental
2 impact statement if—

3 “(1) the decision continues to renew, reissue, or
4 transfer the current grazing management of the al-
5 lotment;

6 “(2) monitoring of the allotment has indicated
7 that the current grazing management has met, or
8 has satisfactorily progressed towards meeting, objec-
9 tives contained in the applicable land use or resource
10 management plan of the allotment, as determined by
11 the Secretary concerned; or

12 “(3) the decision is consistent with the policy of
13 the Department of the Interior or the Department
14 of Agriculture, as appropriate, regarding extraor-
15 dinary circumstances.

16 “(g) ENVIRONMENTAL REVIEWS.—

17 “(1) The Secretary concerned, in the sole dis-
18 cretion of the Secretary concerned, shall determine
19 the priority and timing for completing required envi-
20 ronmental reviews regarding any grazing allotment,
21 permit, or lease based on the environmental signifi-
22 cance of the allotment, permit, or lease and available
23 funding for that purpose.

24 “(2) The Secretary concerned shall seek to con-
25 duct environmental reviews on an allotment or mul-

1 tiple allotment basis, to the extent practicable, for
2 purposes of compliance with the National Environ-
3 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
4 and other applicable laws.

5 “(h) NEPA EXEMPTIONS.—The National Environ-
6 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall
7 not apply to the following:

8 “(1) Crossing and trailing authorizations of do-
9 mestic livestock.

10 “(2) Transfer of grazing preference.

11 “(3) Range improvements as defined under 43
12 U.S.C. 315c and 16 U.S.C. 580h.

13 “(i) TEMPORARY TRAILING AND CROSSING.—

14 “(1) Any application for temporary trailing or
15 crossing that has been submitted in a timely manner
16 or not less than 30 days prior to the anticipated
17 trailing or crossing shall be granted, modified or de-
18 nied not less than fifteen days prior to the date of
19 requested crossing or trailing. The minimum times
20 specified in this subsection shall not preclude the ap-
21 proval of an application in a shorter time where an
22 immediate need exists.

23 “(2) Temporary trailing or crossing authoriza-
24 tions across lands administered by the Bureau of
25 Land Management or the Forest Service system of

1 lands shall not be subject to protest or appeal except
2 by the applicant or an affected permittee or lessee.”.

3 (b) TABLE OF CONTENTS.—The table of contents for
4 the Federal Land Policy and Management Act of 1976
5 is amended by adding after the item for section 404, the
6 following:

“Sec. 405. Renewal, transfer, and reissuance of grazing permits and leases.”.

7 **TITLE IX—RIM FIRE**
8 **EMERGENCY SALVAGE ACT**

9 **SEC. 901. SHORT TITLE.**

10 This title may be cited as the “Rim Fire Emergency
11 Salvage Act”.

12 **SEC. 902. EXPEDITED FOREST SERVICE TIMBER SALVAGE**
13 **AND RESTORATION PILOT PROJECTS IN RE-**
14 **SPONSE TO THE CALIFORNIA RIM FIRE.**

15 (a) PILOT PROJECTS REQUIRED.—As part of the res-
16 toration and rehabilitation activities undertaken on the
17 lands within the Stanislaus National Forest adversely im-
18 pacted by the 2013 Rim Fire in California, the Secretary
19 of Agriculture shall conduct a timber salvage and restora-
20 tion pilot project on burned National Forest System land
21 within the Rim Fire perimeter.

22 (b) MANAGEMENT PLAN.—

23 (1) USE OF EIS PROPOSED ALTERNATIVE.—The
24 Secretary of Agriculture shall conduct the pilot
25 project required by subsection (a) in the manner

1 provided in the proposed alternative contained in the
2 draft environmental impact statement noticed in the
3 Federal Register on December 6, 2013, for Rim
4 Fire recovery.

5 (2) MODIFICATION.—During the course of the
6 pilot project, the Secretary may adopt such modi-
7 fications to the management plan as the Secretary
8 considers appropriate in response to public comment
9 and consultation with interested Federal, State, and
10 tribal agencies.

11 (c) LEGAL SUFFICIENCY.—The pilot project required
12 by subsection (a), and activities conducted under the pilot
13 project, are deemed to be in compliance with the National
14 Environmental Policy Act of 1969 (42 U.S.C. 4321 et
15 seq.), section 14 of the National Forest Management Act
16 of 1976 (16 U.S.C. 472a), the Forest and Rangeland Re-
17 newable Resources Planning Act of 1974 (16 U.S.C. 1600
18 et seq.), the Federal Land Policy and Management Act
19 of 1976 (43 U.S.C. 1701 et seq.), and the Endangered
20 Species Act of 1973 (16 U.S.C. 1531 et seq.).

21 (d) ADMINISTRATIVE AND JUDICIAL REVIEW AND
22 ACTION.—The pilot project required by subsection (a),
23 and activities conducted under the pilot project, are not
24 subject to—

25 (1) administrative review;

1 (2) judicial review by any court of the United
2 States; or

3 (3) a temporary restraining order or prelimi-
4 nary injunction based on environmental impacts in a
5 case for which a final decision has not been issued.

6 **SEC. 903. SENSE OF CONGRESS REGARDING USE OF FUNDS**
7 **GENERATED FROM SALVAGE SALES CON-**
8 **DUCTED AFTER CATASTROPHIC WILD FIRES**
9 **ON NATIONAL FOREST SYSTEM LAND OR BU-**
10 **REAU OF LAND MANAGEMENT LANDS.**

11 It is the sense of Congress that the Secretary of Agri-
12 culture, with respect to National Forest System lands, and
13 the Secretary of the Interior, with respect to Bureau of
14 Land Management land, should use existing authorities
15 available to the Secretary to retain revenues (other than
16 revenues required to be deposited in the general fund of
17 the Treasury) generated by salvage sales conducted in re-
18 sponse to catastrophic wild fires on such land to cover the
19 cost of restoration projects on such land.

20 **TITLE X—CHESAPEAKE BAY AC-**
21 **COUNTABILITY AND RECOV-**
22 **ERY ACT**

23 **SEC. 1001. SHORT TITLE.**

24 This title may be cited as the “Chesapeake Bay Ac-
25 countability and Recovery Act of 2014”.

1 **SEC. 1002. CHESAPEAKE BAY CROSSCUT BUDGET.**

2 (a) CROSSCUT BUDGET.—The Director, in consulta-
3 tion with the Chesapeake Executive Council, the chief ex-
4 ecutive of each Chesapeake Bay State, and the Chesa-
5 peake Bay Commission, shall submit to Congress a finan-
6 cial report containing—

7 (1) an interagency crosscut budget that dis-
8 plays—

9 (A) the proposed funding for any Federal
10 restoration activity to be carried out in the suc-
11 ceeding fiscal year, including any planned inter-
12 agency or intra-agency transfer, for each of the
13 Federal agencies that carry out restoration ac-
14 tivities;

15 (B) to the extent that information is avail-
16 able, the estimated funding for any State res-
17 toration activity to be carried out in the suc-
18 ceeding fiscal year;

19 (C) all expenditures for Federal restoration
20 activities from the preceding 2 fiscal years, the
21 current fiscal year, and the succeeding fiscal
22 year; and

23 (D) all expenditures, to the extent that in-
24 formation is available, for State restoration ac-
25 tivities during the equivalent time period de-
26 scribed in subparagraph (C);

1 (2) a detailed accounting of all funds received
2 and obligated by all Federal agencies for restoration
3 activities during the current and preceding fiscal
4 years, including the identification of funds which
5 were transferred to a Chesapeake Bay State for res-
6 toration activities;

7 (3) to the extent that information is available,
8 a detailed accounting from each State of all funds
9 received and obligated from a Federal agency for
10 restoration activities during the current and pre-
11 ceding fiscal years; and

12 (4) a description of each of the proposed Fed-
13 eral and State restoration activities to be carried out
14 in the succeeding fiscal year (corresponding to those
15 activities listed in subparagraphs (A) and (B) of
16 paragraph (1)), including the—

17 (A) project description;

18 (B) current status of the project;

19 (C) Federal or State statutory or regu-
20 latory authority, programs, or responsible agen-
21 cies;

22 (D) authorization level for appropriations;

23 (E) project timeline, including benchmarks;

24 (F) references to project documents;

1 (G) descriptions of risks and uncertainties
2 of project implementation;

3 (H) adaptive management actions or
4 framework;

5 (I) coordinating entities;

6 (J) funding history;

7 (K) cost sharing; and

8 (L) alignment with existing Chesapeake
9 Bay Agreement and Chesapeake Executive
10 Council goals and priorities.

11 (b) MINIMUM FUNDING LEVELS.—The Director shall
12 only describe restoration activities in the report required
13 under subsection (a) that—

14 (1) for Federal restoration activities, have fund-
15 ing amounts greater than or equal to \$100,000; and

16 (2) for State restoration activities, have funding
17 amounts greater than or equal to \$50,000.

18 (c) DEADLINE.—The Director shall submit to Con-
19 gress the report required by subsection (a) not later than
20 30 days after the submission by the President of the Presi-
21 dent’s annual budget to Congress.

22 (d) REPORT.—Copies of the financial report required
23 by subsection (a) shall be submitted to the Committees
24 on Appropriations, Natural Resources, Energy and Com-
25 merce, and Transportation and Infrastructure of the

1 House of Representatives and the Committees on Appro-
2 priations, Environment and Public Works, and Commerce,
3 Science, and Transportation of the Senate.

4 (e) EFFECTIVE DATE.—This section shall apply be-
5 ginning with the first fiscal year after the date of enact-
6 ment of this Act for which the President submits a budget
7 to Congress.

8 **SEC. 1003. RESTORATION THROUGH ADAPTIVE MANAGE-**
9 **MENT.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of enactment of this Act, the Administrator, in con-
12 sultation with other Federal and State agencies, and with
13 the participation of stakeholders, shall develop a plan to
14 provide technical and financial assistance to Chesapeake
15 Bay States to employ adaptive management in carrying
16 out restoration activities in the Chesapeake Bay water-
17 shed.

18 (b) PLAN DEVELOPMENT.—The plan referred to in
19 subsection (a) shall include—

20 (1) specific and measurable objectives to im-
21 prove water quality, habitat, and fisheries identified
22 by Chesapeake Bay States;

23 (2) a process for stakeholder participation;

1 (3) monitoring, modeling, experimentation, and
2 other research and evaluation technical assistance
3 requested by Chesapeake Bay States;

4 (4) identification of State restoration activities
5 planned by Chesapeake Bay States to attain the
6 State’s objectives under paragraph (1);

7 (5) identification of Federal restoration activi-
8 ties that could help a Chesapeake Bay State to at-
9 tain the State’s objectives under paragraph (1);

10 (6) recommendations for a process for modifica-
11 tion of State and Federal restoration activities that
12 have not attained or will not attain the specific and
13 measurable objectives set forth under paragraph (1);
14 and

15 (7) recommendations for a process for inte-
16 grating and prioritizing State and Federal restora-
17 tion activities and programs to which adaptive man-
18 agement can be applied.

19 (c) IMPLEMENTATION.—In addition to carrying out
20 Federal restoration activities under existing authorities
21 and funding, the Administrator shall implement the plan
22 developed under subsection (a) by providing technical and
23 financial assistance to Chesapeake Bay States using re-
24 sources available for such purposes that are identified by
25 the Director under section 1002.

1 (d) UPDATES.—The Administrator shall update the
2 plan developed under subsection (a) every 2 years.

3 (e) REPORT TO CONGRESS.—

4 (1) IN GENERAL.—Not later than 60 days after
5 the end of a fiscal year, the Administrator shall
6 transmit to Congress an annual report on the imple-
7 mentation of the plan required under this section for
8 such fiscal year.

9 (2) CONTENTS.—The report required under
10 paragraph (1) shall contain information about the
11 application of adaptive management to restoration
12 activities and programs, including level changes im-
13 plemented through the process of adaptive manage-
14 ment.

15 (3) EFFECTIVE DATE.—Paragraph (1) shall
16 apply to the first fiscal year that begins after the
17 date of enactment of this Act.

18 (f) INCLUSION OF PLAN IN ANNUAL ACTION PLAN
19 AND ANNUAL PROGRESS REPORT.—The Administrator
20 shall ensure that the Annual Action Plan and Annual
21 Progress Report required by section 205 of Executive
22 Order No. 13508 includes the adaptive management plan
23 outlined in subsection (a).

1 **SEC. 1004. INDEPENDENT EVALUATOR FOR THE CHESA-**
2 **PEAKE BAY PROGRAM.**

3 (a) IN GENERAL.—There shall be an Independent
4 Evaluator for restoration activities in the Chesapeake Bay
5 watershed, who shall review and report on restoration ac-
6 tivities and the use of adaptive management in restoration
7 activities, including on such related topics as are suggested
8 by the Chesapeake Executive Council.

9 (b) APPOINTMENT.—

10 (1) IN GENERAL.—The Independent Evaluator
11 shall be appointed by the Administrator from among
12 nominees submitted by the Chesapeake Executive
13 Council.

14 (2) NOMINATIONS.—The Chesapeake Executive
15 Council may submit to the Administrator 4 nomi-
16 nees for appointment to any vacancy in the office of
17 the Independent Evaluator.

18 (c) REPORTS.—The Independent Evaluator shall sub-
19 mit a report to the Congress every 2 years in the findings
20 and recommendations of reviews under this section.

21 (d) CHESAPEAKE EXECUTIVE COUNCIL.—In this sec-
22 tion, the term “Chesapeake Executive Council” has the
23 meaning given that term by section 307 of the National
24 Oceanic and Atmospheric Administration Authorization
25 Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

1 **SEC. 1005. DEFINITIONS.**

2 In this title, the following definitions apply:

3 (1) **ADAPTIVE MANAGEMENT.**—The term
4 “adaptive management” means a type of natural re-
5 source management in which project and program
6 decisions are made as part of an ongoing science-
7 based process. Adaptive management involves test-
8 ing, monitoring, and evaluating applied strategies
9 and incorporating new knowledge into programs and
10 restoration activities that are based on scientific
11 findings and the needs of society. Results are used
12 to modify management policy, strategies, practices,
13 programs, and restoration activities.

14 (2) **ADMINISTRATOR.**—The term “Adminis-
15 trator” means the Administrator of the Environ-
16 mental Protection Agency.

17 (3) **CHESAPEAKE BAY STATE.**—The term
18 “Chesapeake Bay State” or “State” means the
19 States of Maryland, West Virginia, Delaware, and
20 New York, the Commonwealths of Virginia and
21 Pennsylvania, and the District of Columbia.

22 (4) **CHESAPEAKE BAY WATERSHED.**—The term
23 “Chesapeake Bay watershed” means the Chesapeake
24 Bay and the geographic area, as determined by the
25 Secretary of the Interior, consisting of 36 tributary

1 basins, within the Chesapeake Bay States, through
2 which precipitation drains into the Chesapeake Bay.

3 (5) CHIEF EXECUTIVE.—The term “chief execu-
4 tive” means, in the case of a State or Common-
5 wealth, the Governor of each such State or Common-
6 wealth and, in the case of the District of Columbia,
7 the Mayor of the District of Columbia.

8 (6) DIRECTOR.—The term “Director” means
9 the Director of the Office of Management and Budg-
10 et.

11 (7) STATE RESTORATION ACTIVITIES.—The
12 term “State restoration activities” means any State
13 programs or projects carried out under State author-
14 ity that directly or indirectly protect, conserve, or re-
15 store living resources, habitat, water resources, or
16 water quality in the Chesapeake Bay watershed, in-
17 cluding programs or projects that promote respon-
18 sible land use, stewardship, and community engage-
19 ment in the Chesapeake Bay watershed. Restoration
20 activities may be categorized as follows:

21 (A) Physical restoration.

22 (B) Planning.

23 (C) Feasibility studies.

24 (D) Scientific research.

25 (E) Monitoring.

1 (F) Education.

2 (G) Infrastructure development.

3 (8) FEDERAL RESTORATION ACTIVITIES.—The
4 term “Federal restoration activities” means any
5 Federal programs or projects carried out under ex-
6 isting Federal authority that directly or indirectly
7 protect, conserve, or restore living resources, habitat,
8 water resources, or water quality in the Chesapeake
9 Bay watershed, including programs or projects that
10 provide financial and technical assistance to promote
11 responsible land use, stewardship, and community
12 engagement in the Chesapeake Bay watershed. Res-
13 toration activities may be categorized as follows:

14 (A) Physical restoration.

15 (B) Planning.

16 (C) Feasibility studies.

17 (D) Scientific research.

18 (E) Monitoring.

19 (F) Education.

20 (G) Infrastructure development.

21 **TITLE XI—ALASKA NATIVE**
22 **VETERAN ALLOTMENT**

23 **SEC. 1101. ALASKA NATIVE VETERAN ALLOTMENT.**

24 (a) DEFINITIONS.—In this section:

1 (1) APPLICATION.—The term “application”
2 means the Alaska Native Veteran Allotment applica-
3 tion numbered AA-084021-B.

4 (2) FEDERAL LAND.—The term “Federal land”
5 means the 80 acres of Federal land that is—

6 (A) described in the application; and

7 (B) depicted as Lot 2 in U.S. Survey No.
8 13957, Alaska, that was officially filed on Octo-
9 ber 9, 2009.

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

12 (b) ISSUANCE OF PATENT.—Notwithstanding section
13 41 of the Alaska Native Claims Settlement Act (43 U.S.C.
14 1629g) and subject to subsection (c), the Secretary shall—

15 (1) approve the application; and

16 (2) issue a patent for the Federal land to the
17 person that submitted the application.

18 (c) TERMS AND CONDITIONS.—

19 (1) IN GENERAL.—The patent issued under
20 subsection (b) shall—

21 (A) only be for the surface rights to the
22 Federal land; and

23 (B) be subject to the terms and conditions
24 of any certificate issued under section 41 of the
25 Alaska Native Claims Settlement Act (43

1 U.S.C. 1629g), including terms and conditions
2 providing that—

3 (i) the patent is subject to valid exist-
4 ing rights, including any right of the
5 United States to income derived, directly
6 or indirectly, from a lease, license, permit,
7 right-of-way, or easement on the Federal
8 land; and

9 (ii) the United States shall reserve an
10 interest in deposits of oil, gas, and coal on
11 the Federal land, including the right to ex-
12 plore, mine, and remove the minerals on
13 portions of the Federal land that the Sec-
14 retary determines to be prospectively valu-
15 able for development.

16 (2) ADDITIONAL TERMS AND CONDITIONS.—
17 The Secretary may require any additional terms and
18 conditions for the issuance of the patent under sub-
19 section (a) that the Secretary determines to be

1 appropriate to protect the interests of the United
2 States.

 Passed the House of Representatives February 6,
2014.

Attest:

KAREN L. HAAS,

Clerk.