

113TH CONGRESS
2^D SESSION

H. R. 5205

AN ACT

To authorize certain land conveyances involving public lands in northern Nevada to promote economic development and conservation, and for other purposes.

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

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Northern Nevada Land Conservation and Economic De-
4 velopment Act”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PINE FOREST RANGE RECREATION ENHANCEMENT ACT

Sec. 101. Short title.
Sec. 102. Definitions.
Sec. 103. Addition to National Wilderness Preservation System.
Sec. 104. Administration.
Sec. 105. Release of wilderness study areas.
Sec. 106. Wildlife management.
Sec. 107. Land exchanges.
Sec. 108. Native American cultural and religious uses.

TITLE II—LYON COUNTY ECONOMIC DEVELOPMENT AND
CONSERVATION ACT

Sec. 201. Short title; table of contents.
Sec. 202. Land conveyance to Yerington, Nevada.
Sec. 203. Addition to National Wilderness Preservation System.
Sec. 204. Withdrawal.
Sec. 205. Native American cultural and religious uses.

TITLE III—CARLIN ECONOMIC SELF-DETERMINATION ACT

Sec. 301. Conveyance of certain Federal land to City of Carlin, Nevada.

TITLE IV—FERNLEY ECONOMIC SELF-DETERMINATION ACT

Sec. 401. Definitions.
Sec. 402. Conveyance of certain Federal land to City of Fernley, Nevada.
Sec. 403. Release of United States.

TITLE V—RESTORING STOREY COUNTY ACT

Sec. 501. Short title.
Sec. 502. Definitions.
Sec. 503. Conveyance of Federal land in Storey County, Nevada.

TITLE VI—ELKO MOTOCROSS AND TRIBAL CONVEYANCE ACT

Sec. 601. Short title.
Sec. 602. Definition of Secretary.

Subtitle A—Elko Motocross Land Conveyance

Sec. 611. Definitions.

Sec. 612. Conveyance of land to Elko County.

Subtitle B—Trust Land for Te-moak Tribe of Western Shoshone Indians of Nevada (Elko Band)

Sec. 621. Land to be held in trust for the Te-moak Tribe of Western Shoshone Indians of Nevada (Elko Band).

TITLE VII—NAVAL AIR STATION FALLON HOUSING AND SAFETY DEVELOPMENT ACT

Sec. 701. Short title.

Sec. 702. Transfer of Department of the Interior land.

Sec. 703. Water rights.

Sec. 704. Withdrawal.

1 **TITLE I—PINE FOREST RANGE**
 2 **RECREATION ENHANCEMENT**
 3 **ACT**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as the “Pine Forest Range
 6 Recreation Enhancement Act”.

7 **SEC. 102. DEFINITIONS.**

8 In this title:

9 (1) COUNTY.—The term “County” means
 10 Humboldt County, Nevada.

11 (2) MAP.—The term “Map” means the map en-
 12 titled “Proposed Pine Forest Range Wilderness
 13 Area” and dated October 28, 2013.

14 (3) SECRETARY.—The term “Secretary” means
 15 the Secretary of the Interior.

16 (4) STATE.—The term “State” means the State
 17 of Nevada.

1 (5) WILDERNESS.—The term “Wilderness”
2 means the Pine Forest Range Wilderness designated
3 by section 103(a).

4 **SEC. 103. ADDITION TO NATIONAL WILDERNESS PRESERVA-**
5 **TION SYSTEM.**

6 (a) DESIGNATION.—In furtherance of the purposes of
7 the Wilderness Act (16 U.S.C. 1131 et seq.), the approxi-
8 mately 26,000 acres of Federal land managed by the Bu-
9 reau of Land Management, as generally depicted on the
10 Map, is designated as wilderness and as a component of
11 the National Wilderness Preservation System, to be known
12 as the “Pine Forest Range Wilderness”.

13 (b) BOUNDARY.—

14 (1) ROAD ACCESS.—The boundary of any por-
15 tion of the Wilderness that is bordered by a road
16 shall be 100 feet from the edge of the road.

17 (2) ROAD ADJUSTMENTS.—The Secretary
18 shall—

19 (A) reroute the road running through
20 Long Meadow to the west to remove the road
21 from the riparian area;

22 (B) reroute the road currently running
23 through Rodeo Flat/Corral Meadow to the east
24 to remove the road from the riparian area;

1 (C) except for administrative use, close the
2 road along Lower Alder Creek south of Bureau
3 of Land Management road #2083;

4 (D) manage the access road, through Lit-
5 tle Onion Basin, on the east side of the wet
6 meadow to retain travel only on the road exist-
7 ing on the date of the enactment of this Act;
8 and

9 (E) permanently leave open the Cove
10 Creek road to Little Onion Basin, but close
11 connecting spur roads.

12 (3) LITTLE ONION BASIN.—Remove Little
13 Onion Basin from the boundaries of the Wilderness
14 and from wilderness designation.

15 (4) RESERVOIR ACCESS.—The access road to
16 the Little Onion Reservoir dam will remain open and
17 the boundary of the Wilderness shall be 160 feet
18 downstream from the dam at Little Onion Reservoir
19 to allow public access and dam maintenance.

20 (c) MAP AND LEGAL DESCRIPTION.—

21 (1) IN GENERAL.—As soon as practicable after
22 the date of enactment of this Act, the Secretary
23 shall prepare a map and legal description of the Wil-
24 derness.

1 (2) EFFECT.—The map and legal description
2 prepared under paragraph (1) shall have the same
3 force and effect as if included in this title, except
4 that the Secretary may correct clerical and typo-
5 graphical errors in the map or legal description.

6 (3) AVAILABILITY.—The map and legal descrip-
7 tion prepared under paragraph (1) shall be on file
8 and available for public inspection in the appropriate
9 offices of the Bureau of Land Management.

10 (d) WITHDRAWAL.—Subject to valid existing rights,
11 the Wilderness is withdrawn from—

12 (1) all forms of entry, appropriation, and dis-
13 posal under the public land laws;

14 (2) location, entry, and patent under the mining
15 laws; and

16 (3) disposition under all laws relating to min-
17 eral and geothermal leasing or mineral materials.

18 **SEC. 104. ADMINISTRATION.**

19 (a) MANAGEMENT.—Subject to valid existing rights,
20 the Wilderness shall be administered by the Secretary in
21 accordance with the Wilderness Act (16 U.S.C. 1131 et
22 seq.), except that—

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

1 (2) any reference in the Wilderness Act to the
2 Secretary of Agriculture shall be considered to be a
3 reference to the Secretary.

4 (b) LIVESTOCK.—The grazing of livestock in the Wil-
5 derness, if established before the date of enactment of this
6 Act, is compatible with the Wilderness designation and
7 shall continue, subject to such reasonable regulations, poli-
8 cies, and practices as the Secretary considers to be nec-
9 essary in accordance with—

10 (1) section 4(d)(4) of the Wilderness Act (16
11 U.S.C. 1133(d)(4)); and

12 (2) the guidelines set forth in Appendix A of
13 the report of the Committee on Interior and Insular
14 Affairs of the House of Representatives accom-
15 panying H.R. 2570 of the 101st Congress (House
16 Report 101–405).

17 (c) ADJACENT MANAGEMENT.—

18 (1) IN GENERAL.—Congress does not intend for
19 the designation of the Wilderness to create a protec-
20 tive perimeter or buffer zone around the Wilderness.

21 (2) NONWILDERNESS ACTIVITIES.—The fact
22 that nonwilderness activities or uses can be seen,
23 heard, or detected from areas within the Wilderness
24 shall not preclude, limit, control, regulate or deter-

1 mine the conduct or management of the activities or
2 uses outside the boundary of the Wilderness.

3 (d) MILITARY OVERFLIGHTS.—Nothing in this Act
4 restricts or precludes—

5 (1) low-level overflights of military aircraft over
6 the Wilderness, including military overflights that
7 can be seen, heard, or detected within the Wilder-
8 ness;

9 (2) flight testing and evaluation; or

10 (3) the designation or creation of new units of
11 special use airspace, or the establishment of military
12 flight training routes, over the Wilderness.

13 (e) WILDFIRE, INSECT, AND DISEASE MANAGE-
14 MENT.—In accordance with section 4(d)(1) of the Wilder-
15 ness Act (16 U.S.C. 1133(d)(1)), the Secretary may take
16 such measures in the Wilderness as are necessary for the
17 control of fire, insects, and diseases (including, as the Sec-
18 retary determines to be appropriate, the coordination of
19 the activities with a State or local agency).

20 (f) WILDFIRE MANAGEMENT OPERATIONS.—Nothing
21 in this Act shall be construed to preclude a Federal, State,
22 or local agency from conducting wildfire management or
23 prevention operations (including operations using aircraft
24 or mechanized equipment) or to interfere with the author-
25 ity of the Secretary to authorize mechanical thinning of

1 trees or underbrush to prevent or control the spread of
2 wildfires or the use of mechanized equipment for wildfire
3 pre-suppression and suppression.

4 (g) WATER RIGHTS.—

5 (1) PURPOSE.—The purpose of this subsection
6 is to protect the wilderness recreation value of the
7 land designated as wilderness by this title by means
8 other than a federally reserved water right.

9 (2) STATUTORY CONSTRUCTION.—Nothing in
10 this title—

11 (A) constitutes an express or implied res-
12 ervation by the United States of any water or
13 water rights with respect to the Wilderness;

14 (B) affects any water rights in the State
15 (including any water rights held by the United
16 States) in existence on the date of enactment of
17 this Act;

18 (C) establishes a precedent with regard to
19 any future wilderness designations;

20 (D) affects the interpretation of, or any
21 designation made under, any other Act; or

22 (E) limits, alters, modifies, or amends any
23 interstate compact or equitable apportionment
24 decree that apportions water among and be-
25 tween the State and other States.

1 (3) NEVADA WATER LAW.—The Secretary shall
2 follow the procedural and substantive requirements
3 of State law in order to obtain and hold any water
4 rights not in existence on the date of enactment of
5 this Act with respect to the Wilderness.

6 (4) NEW PROJECTS.—

7 (A) DEFINITION OF WATER RESOURCE FA-
8 CILITY.—

9 (i) IN GENERAL.—In this paragraph,
10 the term “water resource facility” means
11 irrigation and pumping facilities, res-
12 ervoires, water conservation works, aque-
13 ducts, canals, ditches, pipelines, wells, hy-
14 dropower projects, transmission and other
15 ancillary facilities, and other water diver-
16 sion, storage, and carriage structures.

17 (ii) EXCLUSION.—In this paragraph,
18 the term “water resource facility” does not
19 include wildlife guzzlers.

20 (B) RESTRICTION ON NEW WATER RE-
21 SOURCE FACILITIES.—Except as otherwise pro-
22 vided in this title, on or after the date of enact-
23 ment of this Act, neither the President nor any
24 other officer, employee, or agent of the United
25 States shall fund, assist, authorize, or issue a

1 license or permit for the development of any
2 new water resource facility within the Wilder-
3 ness, any portion of which is located in the
4 County.

5 **SEC. 105. RELEASE OF WILDERNESS STUDY AREAS.**

6 (a) IN GENERAL.—The Blue Lakes and Alder Creek
7 wilderness study areas not designated as wilderness by
8 section 103(a) have been adequately studied for wilderness
9 character and wilderness designation pursuant to section
10 603 of the Federal Land Policy and Management Act of
11 1976 (43 U.S.C. 1782) and are no longer subject to any
12 requirement pertaining to the management of wilderness
13 or wilderness study areas, including the approximately
14 990 acres in the following locations:

- 15 (1) Lower Adler Creek Basin.
- 16 (2) Little Onion Basin.
- 17 (3) Lands east of Knott Creek reservoir.
- 18 (4) Portions of Corral Meadow and the Blue
19 Lakes trailhead.

20 (b) RELEASE.—Any public land described in sub-
21 section (a) that is not designated as wilderness by this
22 Act—

- 23 (1) is no longer subject to—

1 (A) section 603(c) of the Federal Land
2 Policy and Management Act of 1976 (43 U.S.C.
3 1782(c)); and

4 (B) Secretarial Order 3310 issued on De-
5 cember 22, 2010;

6 (2) shall be managed in accordance with—

7 (A) land management plans adopted under
8 section 202 of the Federal Land Policy and
9 Management Act of 1976 (43 U.S.C. 1712);
10 and

11 (B) cooperative conservation agreements in
12 existence on the date of enactment of this Act;
13 and

14 (3) shall be subject to the Endangered Species
15 Act of 1973 (16 U.S.C. 1531 et seq.).

16 **SEC. 106. WILDLIFE MANAGEMENT.**

17 (a) IN GENERAL.—In accordance with section
18 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
19 nothing in this title affects or diminishes the jurisdiction
20 of the State with respect to fish and wildlife management,
21 including the regulation of hunting, fishing, and trapping,
22 in the Wilderness.

23 (b) MANAGEMENT ACTIVITIES.—In furtherance of
24 the purposes and principles of the Wilderness Act (16
25 U.S.C. 1131 et seq.), the Secretary may conduct any man-

1 agement activities in the Wilderness that are necessary to
2 maintain or restore fish and wildlife populations and the
3 habitats to support those populations, if the activities are
4 carried out—

5 (1) consistent with relevant wilderness manage-
6 ment plans; and

7 (2) in accordance with—

8 (A) the Wilderness Act (16 U.S.C. 1131 et
9 seq.); and

10 (B) appropriate policies, such as those set
11 forth in Appendix B of the report of the Com-
12 mittee on Interior and Insular Affairs of the
13 House of Representatives accompanying H.R.
14 2570 of the 101st Congress (House Report
15 101-405), including the occasional and tem-
16 porary use of motorized vehicles if the use, as
17 determined by the Secretary, would promote
18 healthy, viable, and more naturally distributed
19 wildlife populations that would enhance wilder-
20 ness recreation with the minimal impact nec-
21 essary to reasonably accomplish those tasks, in-
22 cluding but not limited to, the hunting or cull-
23 ing of wildlife and access for persons with dis-
24 abilities.

1 (c) EXISTING ACTIVITIES.—Consistent with section
2 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and
3 in accordance with appropriate policies such as those set
4 forth in Appendix B of the report of the Committee on
5 Interior and Insular Affairs of the House of Representa-
6 tives accompanying H.R. 2570 of the 101st Congress
7 (House Report 101–405), the State may continue to use
8 aircraft, including helicopters, to survey, capture, trans-
9 plant, monitor, and provide water for wildlife in the Wil-
10 derness.

11 (d) EMERGENCY CLOSURES.—Nothing in this title
12 prohibits a Federal land management agency from estab-
13 lishing or implementing emergency closures or restrictions
14 of the smallest practicable area to provide for public safe-
15 ty, resource conservation, national security, or other pur-
16 poses as authorized by law. Such an emergency closure
17 shall terminate after a reasonable period of time, but no
18 longer than one year, unless converted to a permanent clo-
19 sure consistent with Federal statute.

20 (e) MEMORANDUM OF UNDERSTANDING.—

21 (1) IN GENERAL.—The State, including a des-
22 ignedee of the State, may conduct wildlife management
23 activities in the Wilderness—

24 (A) in accordance with the terms and con-
25 ditions specified in the cooperative agreement

1 between the Secretary and the State entitled
2 “Memorandum of Understanding between the
3 Bureau of Land Management and the Nevada
4 Department of Wildlife Supplement No. 9” and
5 signed November and December 2003, includ-
6 ing any amendments to the cooperative agree-
7 ment agreed to by the Secretary and the State;
8 and

9 (B) subject to all applicable laws (including
10 regulations).

11 (2) REFERENCES; CLARK COUNTY.—For the
12 purposes of this subsection, any reference to Clark
13 County in the cooperative agreement described in
14 paragraph (1)(A) shall be considered to be a ref-
15 erence to the Pine Forest Range Wilderness.

16 **SEC. 107. LAND EXCHANGES.**

17 (a) DEFINITIONS.—In this section:

18 (1) FEDERAL LAND.—The term “Federal land”
19 means Federal land in the County that is identified
20 for disposal by the Secretary through the
21 Winnemucca Resource Management Plan.

22 (2) NON-FEDERAL LAND.—The term “non-Fed-
23 eral land” means land identified on the Map as
24 “non-Federal lands for exchange”.

1 (b) ACQUISITION OF LAND AND INTERESTS IN
2 LAND.—Consistent with applicable law and subject to sub-
3 section (c), the Secretary may exchange the Federal land
4 for non-Federal land.

5 (c) CONDITIONS.—Each land exchange under sub-
6 section (a) shall be subject to—

7 (1) the condition that the owner of the non-
8 Federal land pay not less than 50 percent of all
9 costs relating to the land exchange, including the
10 costs of appraisals, surveys, and any necessary envi-
11 ronmental clearances; and

12 (2) such additional terms and conditions as the
13 Secretary may require.

14 (d) DEADLINE FOR COMPLETION OF LAND EX-
15 CHANGE.—It is the intent of Congress that the land ex-
16 changes under this section be completed by not later than
17 5 years after the date of enactment of this Act.

18 **SEC. 108. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
19 **USES.**

20 Nothing in this title alters or diminishes the treaty
21 rights of any Indian tribe (as defined in section 204 of
22 the Indian Self-Determination and Education Assistance
23 Act (25 U.S.C. 450b)).

1 **TITLE II—LYON COUNTY ECO-**
2 **NOMIC DEVELOPMENT AND**
3 **CONSERVATION ACT**

4 **SEC. 201. SHORT TITLE; TABLE OF CONTENTS.**

5 This title may be cited as the “Lyon County Eco-
6 nomic Development and Conservation Act”.

7 **SEC. 202. LAND CONVEYANCE TO YERINGTON, NEVADA.**

8 (a) DEFINITIONS.—In this section:

9 (1) CITY.—The term “City” means the city of
10 Yerington, Nevada.

11 (2) FEDERAL LAND.—The term “Federal land”
12 means the land located in Lyon County and Mineral
13 County, Nevada, that is identified on the map as
14 “City of Yerington Sustainable Development Con-
15 veyance Lands”.

16 (3) MAP.—The term “map” means the map en-
17 titled “Yerington Land Conveyance” and dated De-
18 cember 19, 2012.

19 (4) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 (b) CONVEYANCES OF LAND TO CITY OF YERINGTON,
22 NEVADA.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of enactment of this Act, subject to
25 valid existing rights and notwithstanding the land

1 use planning requirements of sections 202 and 203
2 of the Federal Land Policy and Management Act of
3 1976 (43 U.S.C. 1712, 1713), the Secretary shall
4 convey to the City, subject to the agreement of the
5 City, all right, title, and interest of the United
6 States in and to the Federal land identified on the
7 map.

8 (2) APPRAISAL TO DETERMINE FAIR MARKET
9 VALUE.—The Secretary shall determine the fair
10 market value of the Federal land to be conveyed—

11 (A) in accordance with the Federal Land
12 Policy and Management Act of 1976 (43 U.S.C.
13 1701 et seq.); and

14 (B) based on an appraisal that is con-
15 ducted in accordance with—

16 (i) the Uniform Appraisal Standards
17 for Federal Land Acquisition; and

18 (ii) the Uniform Standards of Profes-
19 sional Appraisal Practice.

20 (3) AVAILABILITY OF MAP.—The map shall be
21 on file and available for public inspection in the ap-
22 propriate offices of the Bureau of Land Manage-
23 ment.

24 (4) APPLICABLE LAW.—Beginning on the date
25 on which the Federal land is conveyed to the City,

1 the development of and conduct of activities on the
2 Federal land shall be subject to all applicable Fed-
3 eral laws (including regulations).

4 (5) COSTS.—As a condition of the conveyance
5 of the Federal land under paragraph (1), the City
6 shall pay—

7 (A) an amount equal to the appraised
8 value determined in accordance with paragraph
9 (2); and

10 (B) all costs related to the conveyance, in-
11 cluding all surveys, appraisals, and other ad-
12 ministrative costs associated with the convey-
13 ance of the Federal land to the City under
14 paragraph (1).

15 **SEC. 203. ADDITION TO NATIONAL WILDERNESS PRESERVA-**
16 **TION SYSTEM.**

17 (a) DEFINITIONS.—In this section:

18 (1) COUNTY.—The term “County” means Lyon
19 County, Nevada.

20 (2) MAP.—The term “map” means the map en-
21 titled “Wovoka Wilderness Area” and dated Decem-
22 ber 18, 2012.

23 (3) SECRETARY.—The term “Secretary” means
24 the Secretary of Agriculture.

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

3 (5) WILDERNESS.—The term “Wilderness”
4 means the approximately 47,449 acres to be known
5 as the Wovoka Wilderness designated by subsection
6 (b)(1).

7 (b) ADDITION TO NATIONAL WILDERNESS PRESER-
8 VATION SYSTEM.—

9 (1) DESIGNATION.—In furtherance of the pur-
10 poses of the Wilderness Act (16 U.S.C. 1131 et
11 seq.), the Federal land managed by the Forest Serv-
12 ice, as generally depicted on the Map, is designated
13 as wilderness and as a component of the National
14 Wilderness Preservation System, to be known as the
15 “Wovoka Wilderness”.

16 (2) BOUNDARY.—The boundary of any portion
17 of the Wilderness that is bordered by a road shall
18 be 150 feet from the centerline of the road.

19 (3) MAP AND LEGAL DESCRIPTION.—

20 (A) IN GENERAL.—As soon as practicable
21 after the date of enactment of this Act, the Sec-
22 retary shall prepare a map and legal description
23 of the Wilderness.

24 (B) EFFECT.—The map and legal descrip-
25 tion prepared under subparagraph (A) shall

1 have the same force and effect as if included in
2 this section, except that the Secretary may cor-
3 rect any clerical and typographical errors in the
4 map or legal description.

5 (C) AVAILABILITY.—Each map and legal
6 description prepared under subparagraph (A)
7 shall be on file and available for public inspec-
8 tion in the appropriate offices of the Forest
9 Service.

10 (4) WITHDRAWAL.—Subject to valid existing
11 rights, the Wilderness is withdrawn from—

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

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

16 (C) disposition under all laws relating to
17 mineral and geothermal leasing or mineral ma-
18 terials.

19 (c) ADMINISTRATION.—

20 (1) MANAGEMENT.—Subject to valid existing
21 rights, the Wilderness shall be administered by the
22 Secretary in accordance with the Wilderness Act (16
23 U.S.C. 1131 et seq.), except that any reference in
24 that Act to the effective date shall be considered to
25 be a reference to the date of enactment of this Act.

1 (2) LIVESTOCK.—The grazing of livestock in
2 the Wilderness, if established before the date of en-
3 actment of this Act, shall continue, subject to such
4 reasonable regulations, policies, and practices as the
5 Secretary considers to be necessary, in accordance
6 with—

7 (A) section 4(d)(4) of the Wilderness Act
8 (16 U.S.C. 1133(d)(4)); and

9 (B) the guidelines set forth in Appendix A
10 of the report of the Committee on Interior and
11 Insular Affairs of the House of Representatives
12 accompanying H.R. 2570 of the 101st Congress
13 (House Report 101–405).

14 (3) ADJACENT MANAGEMENT.—

15 (A) IN GENERAL.—Congress does not in-
16 tend for the designation of the Wilderness to
17 create a protective perimeter or buffer zone
18 around the Wilderness.

19 (B) NONWILDERNESS ACTIVITIES.—The
20 fact that nonwilderness activities or uses can be
21 seen, heard, or detected from areas within the
22 Wilderness shall not preclude, limit, control,
23 regulate, or determine the conduct of the activi-
24 ties or uses outside the boundary of the Wilder-
25 ness.

1 (4) OVERFLIGHTS.—Nothing in this section re-
2 stricts or precludes—

3 (A) low-level overflights of aircraft over the
4 Wilderness, including military overflights that
5 can be seen, heard, or detected within the Wil-
6 derness;

7 (B) flight testing and evaluation; or

8 (C) the designation or creation of new
9 units of special use airspace, or the establish-
10 ment of military flight training routes, over the
11 Wilderness.

12 (5) WILDFIRE, INSECT, AND DISEASE MANAGE-
13 MENT.—In accordance with section 4(d)(1) of the
14 Wilderness Act (16 U.S.C. 1133(d)(1)), the Sec-
15 retary may take any measures in the Wilderness
16 that the Secretary determines to be necessary for
17 the control of fire, insects, and diseases, including,
18 as the Secretary determines to be appropriate, the
19 coordination of the activities with a State or local
20 agency.

21 (6) WATER RIGHTS.—

22 (A) PURPOSE.—The purpose of this para-
23 graph is to protect the wilderness values of the
24 Wilderness by means other than a federally re-
25 served water right.

1 (B) STATUTORY CONSTRUCTION.—Nothing
2 in this paragraph—

3 (i) constitutes an express or implied
4 reservation by the United States of any
5 water or water rights with respect to the
6 Wilderness;

7 (ii) affects any water rights in the
8 State (including any water rights held by
9 the United States) in existence on the date
10 of enactment of this Act;

11 (iii) establishes a precedent with re-
12 gard to any future wilderness designations;

13 (iv) affects the interpretation of, or
14 any designation made under, any other
15 Act; or

16 (v) limits, alters, modifies, or amends
17 any interstate compact or equitable appor-
18 tionment decree that apportions water
19 among and between the State and other
20 States.

21 (C) NEVADA WATER LAW.—The Secretary
22 shall follow the procedural and substantive re-
23 quirements of State law in order to obtain and
24 hold any water rights not in existence on the

1 date of enactment of this Act with respect to
2 the Wilderness.

3 (D) NEW PROJECTS.—

4 (i) DEFINITION OF WATER RESOURCE
5 FACILITY.—

6 (I) IN GENERAL.—In this sub-
7 paragraph, the term “water resource
8 facility” means irrigation and pump-
9 ing facilities, reservoirs, water con-
10 servation works, aqueducts, canals,
11 ditches, pipelines, wells, hydropower
12 projects, transmission and other ancil-
13 lary facilities, and other water diver-
14 sion, storage, and carriage structures.

15 (II) EXCLUSION.—In this sub-
16 paragraph, the term “water resource
17 facility” does not include wildlife guz-
18 zlers.

19 (ii) RESTRICTION ON NEW WATER RE-
20 SOURCE FACILITIES.—

21 (I) IN GENERAL.—Except as oth-
22 erwise provided in this section, on or
23 after the date of enactment of this
24 Act, neither the President nor any of-
25 ficer, employee, or agent of the United

1 States shall fund, assist, authorize, or
2 issue a license or permit for the devel-
3 opment of any new water resource fa-
4 cility within the Wilderness, any por-
5 tion of which is located in the County.

6 (II) EXCEPTION.—If a permittee
7 within the Bald Mountain grazing al-
8 lotment submits an application for the
9 development of water resources for
10 the purpose of livestock watering by
11 the date that is 10 years after the
12 date of enactment of this Act, the
13 Secretary shall issue a water develop-
14 ment permit within the non-wilderness
15 boundaries of the Bald Mountain
16 grazing allotment for the purposes of
17 carrying out activities under para-
18 graph (2).

19 (d) WILDLIFE MANAGEMENT.—

20 (1) IN GENERAL.—In accordance with section
21 4(d)(7) of the Wilderness Act (16 U.S.C.
22 1133(d)(7)), nothing in this section affects or dimin-
23 ishes the jurisdiction of the State with respect to
24 fish and wildlife management, including the regula-

1 tion of hunting, fishing, and trapping, in the Wilder-
2 ness.

3 (2) MANAGEMENT ACTIVITIES.—In furtherance
4 of the purposes and principles of the Wilderness Act
5 (16 U.S.C. 1131 et seq.), the Secretary may conduct
6 any management activities in the Wilderness that
7 are necessary to maintain or restore fish and wildlife
8 populations and the habitats to support the popu-
9 lations, if the activities are carried out—

10 (A) consistent with relevant wilderness
11 management plans; and

12 (B) in accordance with—

13 (i) the Wilderness Act (16 U.S.C.
14 1131 et seq.); and

15 (ii) appropriate policies, such as those
16 set forth in Appendix B of the report of
17 the Committee on Interior and Insular Af-
18 fairs of the House of Representatives ac-
19 companying H.R. 2570 of the 101st Con-
20 gress (House Report 101–405), including
21 the occasional and temporary use of motor-
22 ized vehicles and aircraft, if the use, as de-
23 termined by the Secretary, would promote
24 healthy, viable, and more naturally distrib-
25 uted wildlife populations that would en-

1 hance wilderness values with the minimal
2 impact necessary to reasonably accomplish
3 those tasks, including but not limited to,
4 the hunting or culling of wildlife and ac-
5 cess for persons with disabilities.

6 (3) EXISTING ACTIVITIES.—Consistent with
7 section 4(d)(1) of the Wilderness Act (16 U.S.C.
8 1133(d)(1)) and in accordance with appropriate poli-
9 cies such as those set forth in Appendix B of House
10 Report 101–405, the State may continue to use air-
11 craft, including helicopters, to survey, capture,
12 transplant, monitor, and provide water for wildlife
13 populations in the Wilderness.

14 (4) EMERGENCY CLOSURES.—Nothing in this
15 title prohibits a Federal land management agency
16 from establishing or implementing emergency clo-
17 sures or restrictions of the smallest practicable area
18 to provide for public safety, resource conservation,
19 national security, or other purposes as authorized by
20 law. Such an emergency closure shall terminate after
21 a reasonable period of time, unless converted to a
22 permanent closure consistent with Federal statute.

23 (5) MEMORANDUM OF UNDERSTANDING.—The
24 State, including a designee of the State, may con-

1 duct wildlife management activities in the Wilder-
2 ness—

3 (A) in accordance with the terms and con-
4 ditions specified in the cooperative agreement
5 between the Secretary and the State entitled
6 “Memorandum of Understanding: Inter-
7 mountain Region USDA Forest Service and the
8 Nevada Department of Wildlife State of Ne-
9 vada” and signed by the designee of the State
10 on February 6, 1984, and by the designee of
11 the Secretary on January 24, 1984, including
12 any amendments, appendices, or additions to
13 the agreement agreed to by the Secretary and
14 the State or a designee; and

15 (B) subject to all applicable laws (including
16 regulations).

17 (e) WILDLIFE WATER DEVELOPMENT PROJECTS.—
18 Subject to subsection (c), the Secretary shall authorize
19 structures and facilities, including existing structures and
20 facilities, for wildlife water development projects (includ-
21 ing guzzlers) in the Wilderness if—

22 (1) the structures and facilities will, as deter-
23 mined by the Secretary, enhance wilderness values
24 by promoting healthy, viable, and more naturally
25 distributed wildlife populations; and

1 (2) the visual impacts of the structures and fa-
2 cilities on the Wilderness can reasonably be mini-
3 mized.

4 **SEC. 204. WITHDRAWAL.**

5 (a) DEFINITION OF WITHDRAWAL AREA.—In this
6 section, the term “Withdrawal Area” means the land ad-
7 ministered by the Forest Service and identified as “With-
8 drawal Area” on the map described in section 203(a)(2).

9 (b) WITHDRAWAL.—Subject to valid existing rights,
10 all Federal land within the Withdrawal Area is withdrawn
11 from all forms of—

12 (1) entry, appropriation, or disposal under the
13 public land laws;

14 (2) location, entry, and patent under the mining
15 laws; and

16 (3) operation of the mineral laws, geothermal
17 leasing laws, and mineral materials laws.

18 (c) MOTORIZED AND MECHANICAL VEHICLES.—

19 (1) IN GENERAL.—Subject to paragraph (2),
20 use of motorized and mechanical vehicles in the
21 Withdrawal Area shall be permitted only on roads
22 and trails designated for the use of those vehicles,
23 unless the use of those vehicles is needed—

24 (A) for administrative purposes; or

25 (B) to respond to an emergency.

1 (2) EXCEPTION.—Paragraph (1) does not apply
2 to aircraft (including helicopters).

3 **SEC. 205. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
4 **USES.**

5 Nothing in this title alters or diminishes the treaty
6 rights of any Indian tribe (as defined in section 204 of
7 the Indian Self-Determination and Education Assistance
8 Act (25 U.S.C. 450b)).

9 **TITLE III—CARLIN ECONOMIC**
10 **SELF-DETERMINATION ACT**

11 **SEC. 301. CONVEYANCE OF CERTAIN FEDERAL LAND TO**
12 **CITY OF CARLIN, NEVADA.**

13 (a) DEFINITIONS.—In this title:

14 (1) CITY.—The term “City” means the City of
15 Carlin, Nevada.

16 (2) FEDERAL LAND.—The term “Federal land”
17 means the approximately 1329 acres of land located
18 in the City of Carlin, Nevada, that is identified on
19 the map as “Carlin Selected Parcels”.

20 (3) MAP.—The term “map” means the map en-
21 titled “Proposed Carlin, Nevada Land Sales” map
22 dated October 25, 2013.

23 (b) CONVEYANCE REQUIRED.—Subject to valid exist-
24 ing rights and notwithstanding the land use planning re-
25 quirements of sections 202 and 203 of the Federal Land

1 Policy and Management Act of 1976 (43 U.S.C. 1712,
2 1713), not later than 180 days after the date on which
3 the Secretary of the Interior receives a request from the
4 City for the Federal land, the Secretary shall convey to
5 the City, without consideration, all right, title, and interest
6 of the United States to and in the Federal land.

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

10 (d) COSTS.—At closing for the conveyance authorized
11 under subsection (b) the City shall pay or reimburse the
12 Secretary, as appropriate, for the reasonable transaction
13 and administrative personnel costs associated with the
14 conveyance authorized under such subsection, including
15 the costs of title searches, maps, and boundary and cadas-
16 tral surveys.

17 (e) RELEASE OF UNITED STATES.—Upon making
18 the conveyance under subsection (b), notwithstanding any
19 other provision of law, the United States is released from
20 any and all liabilities or claims of any kind or nature aris-
21 ing from the presence, release, or threat of release of any
22 hazardous substance, pollutant, contaminant, petroleum
23 product (or derivative of a petroleum product of any kind),
24 solid waste, mine materials or mining related features (in-
25 cluding tailings, overburden, waste rock, mill remnants,

1 pits, or other hazards resulting from the presence of min-
2 ing related features) on the Federal land in existence on
3 or before the date of the conveyance.

4 (f) WITHDRAWAL.—Subject to valid existing rights,
5 the Federal land identified for conveyance shall be with-
6 drawn from all forms of—

7 (1) entry, appropriation, or disposal under the
8 public land laws;

9 (2) location, entry, and patent under the mining
10 laws; and

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

13 **TITLE IV—FERNLEY ECONOMIC** 14 **SELF-DETERMINATION ACT**

15 **SEC. 401. DEFINITIONS.**

16 In this title:

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

19 (2) FEDERAL LAND.—The term “Federal land”
20 means the land located in the City of Fernley, Ne-
21 vada, that is identified as “Proposed Sale Parcels”
22 on the map.

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

1 **SEC. 402. CONVEYANCE OF CERTAIN FEDERAL LAND TO**
2 **CITY OF FERNLEY, NEVADA.**

3 (a) CONVEYANCE AUTHORIZED.—Subject to valid ex-
4 isting rights and notwithstanding the land use planning
5 requirements of sections 202 and 203 of the Federal Land
6 Policy and Management Act of 1976 (43 U.S.C. 1712,
7 1713), not later than 180 days after the date on which
8 the Secretary of the Interior receives a request from the
9 City for the Federal land, the Secretary shall convey to
10 the City, without consideration, all right, title, and interest
11 of the United States to and in the Federal land.

12 (b) AVAILABILITY OF MAP.—The map shall be on file
13 and available for public inspection in the appropriate of-
14 fices of the Bureau of Land Management.

15 (c) RESERVATION OF EASEMENTS AND RIGHTS-OF-
16 WAY.—The City and the Bureau of Reclamation may re-
17 tain easements or rights-of-way on the Federal land to be
18 conveyed, including easements or rights-of-way that the
19 Bureau of Reclamation determines are necessary to carry
20 out—

21 (1) the operation and maintenance of the
22 Truckee Canal Irrigation District Canal; or

23 (2) the Newlands Project.

24 (d) COSTS.—At closing for the conveyance authorized
25 under subsection (a), the City shall pay or reimburse the
26 Secretary, as appropriate, for the reasonable transaction

1 and administrative personnel costs associated with the
 2 conveyance authorized under such subsection, including
 3 the costs of title searches, maps, and boundary and cadas-
 4 tral surveys.

5 **SEC. 403. RELEASE OF UNITED STATES.**

6 Upon making the conveyance under section 402, not-
 7 withstanding any other provision of law, the United States
 8 is released from any and all liabilities or claims of any
 9 kind or nature arising from the presence, release, or threat
 10 of release of any hazardous substance, pollutant, contami-
 11 nant, petroleum product (or derivative of a petroleum
 12 product of any kind), solid waste, mine materials or min-
 13 ing related features (including tailings, overburden, waste
 14 rock, mill remnants, pits, or other hazards resulting from
 15 the presence of mining related features) on the Federal
 16 land in existence on or before the date of the conveyance.

17 **TITLE V—RESTORING STOREY**
 18 **COUNTY ACT**

19 **SEC. 501. SHORT TITLE.**

20 This title may be cited as the “Restoring Storey
 21 County Act”.

22 **SEC. 502. DEFINITIONS.**

23 In this title:

24 (1) COUNTY.—The term “County” means
 25 Storey County, Nevada.

1 (2) FEDERAL LAND.—The term “Federal land”
2 means the approximately 1,745 acres of Federal
3 land identified on the map as “BLM Owned - Coun-
4 ty Request Transfer”.

5 (3) MAP.—The term “map” means the map ti-
6 tled “Restoring Storey County Act” and dated No-
7 vember 20, 2012.

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior, acting through the Bu-
10 reau of Land Management.

11 **SEC. 503. CONVEYANCE OF FEDERAL LAND IN STOREY**
12 **COUNTY, NEVADA.**

13 Subject to valid existing rights and notwithstanding
14 the land use planning requirements of sections 202 and
15 203 of the Federal Land Policy and Management Act of
16 1976 (43 U.S.C. 1712, 1713), not later than 180 days
17 after the date of the enactment of this Act and if re-
18 quested by the County, the Secretary shall convey to the
19 County, by quitclaim deed, all surface rights of the United
20 States in and to the Federal land, including any improve-
21 ments thereon. All costs associated with the conveyance
22 under this section shall be the responsibility of the Bureau
23 of Land Management.

1 **TITLE VI—ELKO MOTOCROSS**
2 **AND TRIBAL CONVEYANCE ACT**

3 **SEC. 601. SHORT TITLE.**

4 This title may be cited as the “Elko Motocross and
5 Tribal Conveyance Act”.

6 **SEC. 602. DEFINITION OF SECRETARY.**

7 In this title, the term “Secretary” means the Sec-
8 retary of the Interior, acting through the Bureau of Land
9 Management.

10 **Subtitle A—Elko Motocross Land**
11 **Conveyance**

12 **SEC. 611. DEFINITIONS.**

13 In this subtitle:

14 (1) COUNTY.—The term “county” means the
15 county of Elko, Nevada.

16 (2) MAP.—The term “map” means the map en-
17 titled “Elko Motocross Park” and dated April 19,
18 2013.

19 **SEC. 612. CONVEYANCE OF LAND TO ELKO COUNTY.**

20 (a) IN GENERAL.—As soon as practicable after the
21 date of enactment of this Act, subject to valid existing
22 rights and the provisions of this section, if requested by
23 the county the Secretary shall convey to the county, with-
24 out consideration, all right, title, and interest of the

1 United States in and to the land described in subsection
2 (b).

3 (b) DESCRIPTION OF LAND.—The land referred to in
4 subsection (a) consists of approximately 275 acres of land
5 managed by the Bureau of Land Management, Elko Dis-
6 trict, Nevada, as generally depicted on the map as “Elko
7 Motocross Park”.

8 (c) MAP AND LEGAL DESCRIPTION.—

9 (1) IN GENERAL.—As soon as practicable after
10 the date of enactment of this Act, the Secretary
11 shall finalize the legal description of the parcel to be
12 conveyed under this section.

13 (2) MINOR ERRORS.—The Secretary may cor-
14 rect any minor error in the map or the legal descrip-
15 tion.

16 (3) AVAILABILITY.—The map and legal descrip-
17 tion shall be on file and available for public inspec-
18 tion in the appropriate offices of the Bureau of
19 Land Management.

20 (d) USE OF CONVEYED LAND.—The land conveyed
21 under this subtitle shall be used only as a motocross, bicy-
22 cle, off-highway vehicle, or stock car racing area, or for
23 any other public purpose consistent with uses allowed
24 under the Act of June 14, 1926 (commonly known as the

1 “Recreation and Public Purposes Act”) (43 U.S.C. 869
2 et seq.).

3 (e) ADMINISTRATIVE COSTS.—The Secretary shall
4 require the county to pay all survey costs and other admin-
5 istrative costs necessary for the preparation and comple-
6 tion of any patents for, and transfers of title to, the land
7 described in subsection (b).

8 **Subtitle B—Trust Land for Te-**
9 **moak Tribe of Western Sho-**
10 **shone Indians of Nevada (Elko**
11 **Band)**

12 **SEC. 621. LAND TO BE HELD IN TRUST FOR THE TE-MOAK**
13 **TRIBE OF WESTERN SHOSHONE INDIANS OF**
14 **NEVADA (ELKO BAND).**

15 (a) IN GENERAL.—Subject to valid existing rights,
16 all right, title, and interest of the United States in and
17 to the land described in subsection (b)—

18 (1) shall be held in trust by the United States
19 for the benefit and use of the Te-moak Tribe of
20 Western Shoshone Indians of Nevada (Elko Band)
21 (referred to in this subtitle as the “Tribe”); and

22 (2) shall be part of the reservation of the Tribe.

23 (b) DESCRIPTION OF LAND.—The land referred to in
24 subsection (a) is the approximately 373 acres of land ad-

1 ministered by the Bureau of Land Management, as gen-
2 erally depicted on the map as “Expansion Area”.

3 (c) MAP.—The term “map” means the map entitled
4 “Te-moak Tribal Land Expansion”, dated April 19, 2013.
5 This map shall be on file and available for public inspec-
6 tion in the appropriate offices of the Bureau of Land Man-
7 agement.

8 (d) SURVEY.—Not later than 180 days after the date
9 of enactment of this Act, the Secretary shall complete a
10 survey of the boundary lines to establish the boundaries
11 of the land taken into trust under subsection (a).

12 (e) USE OF TRUST LAND.—

13 (1) GAMING.—Land taken into trust under sub-
14 section (a) shall not be eligible, or considered to
15 have been taken into trust, for class II gaming or
16 class III gaming (as those terms are defined in sec-
17 tion 4 of the Indian Gaming Regulatory Act (25
18 U.S.C. 2703)).

19 (2) GENERAL USES.—

20 (A) IN GENERAL.—The Tribe shall use the
21 land taken into trust under subsection (a) only
22 for—

23 (i) traditional and customary uses;

24 (ii) stewardship conservation for the
25 benefit of the Tribe; or

1 (iii) residential or recreational devel-
2 opment.

3 (B) OTHER USES.—If the Tribe uses any
4 portion of the land taken into trust under sub-
5 section (a) for a purpose other than a purpose
6 described in subparagraph (A), the Tribe shall
7 pay to the Secretary an amount that is equal to
8 the fair market value of the portion of the land,
9 as determined by an appraisal.

10 (3) THINNING; LANDSCAPE RESTORATION.—
11 With respect to the land taken into trust under sub-
12 section (a), the Secretary, in consultation and co-
13 ordination with the Tribe, may carry out any fuels
14 reduction and other landscape restoration activities
15 on the land that is beneficial to the Tribe and the
16 Bureau of Land Management.

17 **TITLE VII—NAVAL AIR STATION**
18 **FALLON HOUSING AND SAFE-**
19 **TY DEVELOPMENT ACT**

20 **SEC. 701. SHORT TITLE.**

21 This title may be cited as the “Naval Air Station
22 Fallon Housing and Safety Development Act”.

1 **SEC. 702. TRANSFER OF DEPARTMENT OF THE INTERIOR**
2 **LAND.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of enactment of this Act, the Secretary of the Interior
5 shall transfer to the Secretary of the Navy, without reim-
6 bursement, the Federal land described in subsection (b).

7 (b) DESCRIPTION OF FEDERAL LAND.—The Federal
8 land referred to in subsection (a) is the parcel of approxi-
9 mately 400 acres of land under the jurisdiction of the Sec-
10 retary of the Interior that—

11 (1) is adjacent to Naval Air Station Fallon in
12 Churchill County, Nevada; and

13 (2) was withdrawn under Public Land Order
14 6834 (NV-943-4214-10; N-37875).

15 (c) MANAGEMENT.—On transfer of the Federal land
16 described under subsection (b) to the Secretary of the
17 Navy, the Secretary of the Navy shall have full jurisdic-
18 tion, custody, and control of the Federal land.

19 **SEC. 703. WATER RIGHTS.**

20 (a) WATER RIGHTS.—Nothing in this title shall be
21 construed—

22 (1) to establish a reservation in favor of the
23 United States with respect to any water or water
24 right on lands transferred by this title; or

1 (2) to authorize the appropriation of water on
2 lands transferred by this title except in accordance
3 with applicable State law.

4 (b) EFFECT ON PREVIOUSLY ACQUIRED OR RE-
5 SERVED WATER RIGHTS.—This section shall not be con-
6 strued to affect any water rights acquired or reserved by
7 the United States before the date of the enactment of this
8 Act.

9 **SEC. 704. WITHDRAWAL.**

10 Subject to valid existing rights, the Federal land to
11 be transferred under section 702 is withdrawn from all
12 forms of appropriation under the public land laws, includ-
13 ing the mining laws and the mineral leasing and geo-
14 thermal leasing laws, so long as the land remains under
15 the administrative jurisdiction of the Secretary of the
16 Navy.

 Passed the House of Representatives September 15,
2014.

Attest:

Clerk.

113TH CONGRESS
2^D SESSION

H. R. 5205

AN ACT

To authorize certain land conveyances involving public lands in northern Nevada to promote economic development and conservation, and for other purposes.