

Union Calendar No. 221

115TH CONGRESS
1ST SESSION

H. R. 2374

[Report No. 115-311]

To facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to fully implement the White Pine County Conservation, Recreation, and Development Act.

IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2017

Mr. KIHUEN (for himself, Mr. AMODEI, Ms. ROSEN, and Ms. TITUS) introduced the following bill; which was referred to the Committee on Natural Resources

SEPTEMBER 14, 2017

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to fully implement the White Pine County Conservation, Recreation, and Development Act.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Eastern Nevada Eco-
5 nomic Development and Land Management Improvement
6 Act”.

7 **SEC. 2. FACILITATION OF PINYON-JUNIPER RELATED**
8 **PROJECTS IN LINCOLN COUNTY, NEVADA.**

9 (a) FACILITATION OF PINYON-JUNIPER RELATED
10 PROJECTS.—

11 (1) AVAILABILITY OF SPECIAL ACCOUNT UNDER
12 LINCOLN COUNTY LAND ACT OF 2000.—Section 5(b)
13 of the Lincoln County Land Act of 2000 (Public
14 Law 106–298; 114 Stat. 1048) is amended—

15 (A) in paragraph (1)—

16 (i) in subparagraph (B), by inserting
17 “and implementation” after “develop-
18 ment”; and

19 (ii) in subparagraph (C)—

20 (I) in clause (i), by striking “;
21 and” at the end and inserting a semi-
22 colon; and

23 (II) by adding at the end the fol-
24 lowing:

1 “(iii) development and implementation
2 of comprehensive, cost-effective, and multi-
3 jurisdictional hazardous fuels reduction
4 projects and wildfire prevention planning
5 activities (particularly for pinyon-juniper
6 dominated landscapes) and other range-
7 land and woodland restoration projects
8 within the County, consistent with the Ely
9 Resource Management Plan or any subse-
10 quent revisions or amendments to that
11 plan; and”;

12 (B) by adding at the end the following:

13 “(3) COOPERATIVE AGREEMENTS.—The Direc-
14 tor of the Bureau of Land Management shall enter
15 into cooperative agreements with the County for
16 County-provided law enforcement and planning re-
17 lated activities approved by the Secretary regard-
18 ing—

19 “(A) wilderness in the County designated
20 by the Lincoln County Conservation, Recre-
21 ation, and Development Act of 2004 (Public
22 Law 108–424; 118 Stat. 2403);

23 “(B) cultural resources identified, pro-
24 tected, and managed pursuant to that Act;

1 “(C) planning, management, and law en-
2 forcement associated with the Silver State OHV
3 Trail designated by that Act; and

4 “(D) planning associated with land dis-
5 posal and related land use authorizations re-
6 quired for utility corridors and rights-of-way to
7 serve land that has been, or is to be, disposed
8 of pursuant to that Act (other than rights-of-
9 way granted pursuant to that Act) and this
10 Act.”.

11 (2) AVAILABILITY OF SPECIAL ACCOUNT UNDER
12 LINCOLN COUNTY CONSERVATION, RECREATION,
13 AND DEVELOPMENT ACT OF 2004.—Section 103 of
14 the Lincoln County Conservation, Recreation, and
15 Development Act of 2004 (Public Law 108–424;
16 118 Stat. 2405) is amended—

17 (A) in subsection (b)(3)—

18 (i) in subparagraph (E), by striking “;
19 and” at the end and inserting a semicolon;

20 (ii) in subparagraph (F), by striking
21 the period at the end and inserting “;
22 and”; and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(G) development and implementation of
2 comprehensive, cost-effective, and multijuris-
3 dictional hazardous fuels reduction and wildfire
4 prevention planning activities (particularly for
5 pinyon-juniper dominated landscapes) and other
6 rangeland and woodland restoration projects
7 within the County, consistent with the Ely Re-
8 source Management Plan or any subsequent re-
9 visions or amendments to that plan.”; and

10 (B) by adding at the end the following:

11 “(d) COOPERATIVE AGREEMENTS.—The Director of
12 the Bureau of Land Management shall enter into coopera-
13 tive agreements with the County for County-provided law
14 enforcement and planning related activities approved by
15 the Secretary regarding—

16 “(1) wilderness in the County designated by
17 this Act;

18 “(2) cultural resources identified, protected,
19 and managed pursuant to this Act;

20 “(3) planning, management, and law enforce-
21 ment associated with the Silver State OHV Trail
22 designated by this Act; and

23 “(4) planning associated with land disposal and
24 related land use authorizations required for utility
25 corridors and rights-of-way to serve land that has

1 been, or is to be, disposed of pursuant to this Act
2 (other than rights-of-way granted pursuant to this
3 Act) and the Lincoln County Land Act of 2000
4 (Public Law 106–298; 114 Stat. 1046).”.

5 (b) DISPOSITION OF PROCEEDS.—

6 (1) DISPOSITION OF PROCEEDS UNDER LIN-
7 COLN COUNTY LAND ACT OF 2000.—Section 5(a)(2)
8 of the Lincoln County Land Act of 2000 (Public
9 Law 106–298; 114 Stat. 1047) is amended by in-
10 serting “and economic development” after “schools”.

11 (2) DISPOSITION OF PROCEEDS UNDER LIN-
12 COLN COUNTY CONSERVATION, RECREATION, AND
13 DEVELOPMENT ACT OF 2004.—Section 103(b)(2) of
14 the Lincoln County Conservation, Recreation, and
15 Development Act of 2004 (Public Law 108–424;
16 118 Stat. 2405) is amended by striking “and trans-
17 portation” and inserting “transportation, and eco-
18 nomic development”.

19 (c) MODIFICATION OF UTILITY CORRIDOR.—The
20 Secretary of the Interior shall realign the utility corridor
21 established by section 301(a) of the Lincoln County Con-
22 servation, Recreation, and Development Act of 2004 (Pub-
23 lic Law 108–424; 118 Stat. 2412) to be aligned as gen-
24 erally depicted on the map entitled “Proposed LCCRDA
25 Utility Corridor Realignment” and dated March 14, 2017,

1 by modifying the map entitled “Lincoln County Conserva-
2 tion, Recreation, and Development Act” (referred to in
3 this subsection as the “Map”) and dated October 1, 2004,
4 by—

5 (1) removing the utility corridor from 5, 6, 7,
6 8, 9, 10, 11, 14, and 15, T. 7 N., R. 68 E., of the
7 Map; and

8 (2) redesignating the utility corridor so as to
9 appear in—

10 (A) sections 31, 32, and 33, T. 8 N., R.
11 68 E., of the Map;

12 (B) sections 4, 5, 6, and 7, T. 7 N., R. 68
13 E., of the Map; and

14 (C) sections 1 and 12, T. 7 N., 67 E., of
15 the Map.

16 (d) FINAL CORRECTIVE PATENT IN CLARK COUNTY,
17 NEVADA.—

18 (1) VALIDATION OF PATENT.—Patent number
19 27–2005–0081 issued by the Bureau of Land Man-
20 agement on February 18, 2005, is affirmed and vali-
21 dated as having been issued pursuant to, and in
22 compliance with, the Nevada-Florida Land Ex-
23 change Authorization Act of 1988 (Public Law 100–
24 275; 102 Stat. 52), the National Environmental Pol-
25 icy Act of 1969 (42 U.S.C. 4321 et seq.), and the

1 Federal Land Policy and Management Act of 1976
2 (43 U.S.C. 1701 et seq.) for the benefit of the desert
3 tortoise, other species, and the habitat of the desert
4 tortoise and other species to increase the likelihood
5 of the recovery of the desert tortoise and other spe-
6 cies.

7 (2) RATIFICATION OF RECONFIGURATION.—The
8 process used by the United States Fish and Wildlife
9 Service and the Bureau of Land Management in re-
10 configuring the land described in paragraph (1), as
11 depicted on Exhibit 1–4 of the Final Environmental
12 Impact Statement for the Planned Development
13 Project MSHCP, Lincoln County, NV (FWS–R8–
14 ES–2008–N0136) and the reconfiguration provided
15 for in special condition 10 of the Corps of Engineers
16 Permit No. 000005042 are ratified.

17 (e) ISSUANCE OF CORRECTIVE PATENT IN LINCOLN
18 COUNTY, NEVADA.—

19 (1) IN GENERAL.—The Secretary of the Inte-
20 rior, acting through the Director of the Bureau of
21 Land Management, may issue a corrective patent for
22 the 7,548 acres of land in Lincoln County, Nevada,
23 depicted on the map prepared by the Bureau of
24 Land Management entitled “Proposed Lincoln

1 County Land Reconfiguration” and dated January
2 28, 2016.

3 (2) APPLICABLE LAW.—A corrective patent
4 issued under paragraph (1) shall be considered to
5 have been issued pursuant to, and in compliance
6 with, the Nevada-Florida Land Exchange Authoriza-
7 tion Act of 1988 (Public Law 100–275; 102 Stat.
8 52).

9 **SEC. 3. MT. MORIAH WILDERNESS, HIGH SCHELLS WILDER-**
10 **NESS, AND ARC DOME WILDERNESS BOUND-**
11 **ARY ADJUSTMENTS.**

12 (a) AMENDMENTS TO THE PAM WHITE WILDERNESS
13 ACT.—Section 323 of the Pam White Wilderness Act of
14 2006 (16 U.S.C. 1132 note; Public Law 109–432; 120
15 Stat. 3031) is amended by striking subsection (e) and in-
16 serting the following:

17 “(e) MT. MORIAH WILDERNESS ADJUSTMENT.—The
18 boundary of the Mt. Moriah Wilderness established under
19 section 2(13) of the Nevada Wilderness Protection Act of
20 1989 (16 U.S.C. 1132 note; Public Law 101–195) is ad-
21 justed to include—

22 “(1) the land identified as the ‘Mount Moriah
23 Wilderness Area’ and ‘Mount Moriah Additions’ on
24 the map entitled ‘Eastern White Pine County’ and
25 dated November 29, 2006; and

1 “(2) the land identified as ‘NFS Lands’ on the
2 map entitled ‘Proposed Wilderness Boundary Ad-
3 justment Mt. Moriah Wilderness Area’ and dated
4 January 17, 2017.

5 “(f) HIGH SCHELLS WILDERNESS ADJUSTMENT.—
6 The boundary of the High Schells Wilderness established
7 under subsection (a)(11) is adjusted to include the land
8 identified as ‘Include as Wilderness’ on the map entitled
9 ‘McCoy Creek Adjustment’ and dated November 3, 2014,
10 and to exclude the land identified as ‘NFS Lands’ on the
11 map entitled ‘Proposed Wilderness Boundary Adjustment
12 High Schells Wilderness Area’ and dated January 19,
13 2017.”.

14 (b) AMENDMENTS TO THE NEVADA WILDERNESS
15 PROTECTION ACT OF 1989.—The Nevada Wilderness
16 Protection Act of 1989 (16 U.S.C. 1132 note; Public Law
17 101–195; 103 Stat. 1784) is amended by adding at the
18 end the following:

19 **“SEC. 12. ARC DOME BOUNDARY ADJUSTMENT.**

20 “The boundary of the Arc Dome Wilderness estab-
21 lished under section 2(2) is adjusted to exclude the land
22 identified as ‘Exclude from Wilderness’ on the map enti-
23 tled ‘Arc Dome Adjustment’ and dated November 3,
24 2014.”.

1 **SEC. 4. IMPLEMENTATION OF WHITE PINE COUNTY CON-**
2 **SERVATION, RECREATION, AND DEVELOP-**
3 **MENT ACT.**

4 (a) DISPOSITION OF PROCEEDS.—Section 312 of the
5 White Pine County Conservation, Recreation, and Devel-
6 opment Act of 2006 (Public Law 109–432; 120 Stat.
7 3030) is amended—

8 (1) in paragraph (2), by striking “and plan-
9 ning” and inserting “municipal water and sewer in-
10 frastructure, public electric transmission facilities,
11 public broadband infrastructure, and planning”; and

12 (2) in paragraph (3)—

13 (A) in subparagraph (G), by striking “;
14 and” and inserting a semicolon;

15 (B) in subparagraph (H), by striking the
16 period at the end and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(I) processing by a government entity of
19 public land use authorizations and rights-of-way
20 relating to the development of land conveyed to
21 the County under this Act, with an emphasis on
22 authorizations and rights-of-way relating to any
23 infrastructure needed for the expansion of the
24 White Pine County Industrial Park under sec-
25 tion 352(c)(2).”.

1 (b) CONVEYANCE TO WHITE PINE COUNTY, NE-
2 VADA.—Section 352 of the White Pine County Conserva-
3 tion, Recreation, and Development Act of 2006 (Public
4 Law 109–432; 120 Stat. 3039) is amended—

5 (1) in subsection (a), by striking “the Sec-
6 retary” and inserting “not later than December 31,
7 2018, the Secretary”;

8 (2) in subsection (c)(3)(B)(i), by striking
9 “through a competitive bidding process” and insert-
10 ing “consistent with section 244 of the Nevada Re-
11 vised Statutes (as in effect on the date of enactment
12 of the Eastern Nevada Economic Development and
13 Land Management Improvement Act)”; and

14 (3) by adding at the end the following:
15 “(e) DEADLINE.—If the Secretary has not conveyed
16 to the County the parcels of land described in subsection
17 (b) by December 31, 2018, the Secretary shall imme-
18 diately convey to the County, without consideration, all
19 right, title, and interest of the United States in and to
20 the parcels of land.”.

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