

115TH CONGRESS
1ST SESSION

H. R. 827

To establish certain conservation and recreation areas in the State of California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2017

Mr. VARGAS introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish certain conservation and recreation areas in the State of California, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Imperial Valley Desert
5 Conservation and Recreation Act”.

6 **SEC. 2. TRANSFER OF LAND TO ANZA-BORREGO DESERT**

7 **STATE PARK, CALIFORNIA.**

8 (a) IN GENERAL.—On termination of all mining
9 claims to the land described in paragraph (2), the Sec-

1 retary shall transfer the land described in that paragraph
2 to the State.

3 (b) DESCRIPTION OF LAND.—The land referred to in
4 paragraph (1) is certain Bureau of Land Management
5 land in San Diego County, California, comprising approxi-
6 mately 934 acres, as generally depicted on the map enti-
7 tled “Table Mountain Wilderness Study Area Proposed
8 Transfer to the State” and dated March 17, 2015.

9 (c) MANAGEMENT.—

10 (1) IN GENERAL.—The land transferred under
11 paragraph (1) shall be managed in accordance with
12 the provisions of the California Wilderness Act (Cali-
13 fornia Public Resources Code sections 5093.30–
14 5093.40).

15 (2) WITHDRAWAL.—Subject to valid existing
16 rights, the land transferred under paragraph (1) is
17 withdrawn from—

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

20 (B) location, entry, and patent under the
21 mining laws; and

22 (C) disposition under all laws relating to
23 mineral and geothermal leasing.

24 (3) REVERSION.—If the State ceases to manage
25 the land transferred under paragraph (1) as part of

1 the State Park System or in a manner inconsistent
2 with the California Wilderness Act (California Public
3 Resources Code sections 5093.30–5093.40), the land
4 shall revert to the Secretary at the discretion of the
5 Secretary, to be managed as a Wilderness Study
6 Area.

7 **SEC. 3. HOLTVILLE AIRPORT, IMPERIAL COUNTY.**

8 (a) IN GENERAL.—On the submission of an applica-
9 tion by Imperial County, California, the Secretary of
10 Transportation shall, in accordance with section 47125 of
11 title 49, United States Code, and section 2641.1 of title
12 43, Code of Federal Regulations (or successor regulations)
13 seek a conveyance from the Secretary of approximately
14 3,500 acres of Bureau of Land Management land adjacent
15 to the Imperial County Holtville Airport (L04) for the
16 purposes of airport expansion.

17 (b) SEGREGATION.—The Secretary (acting through
18 the Director of the Bureau of Land Management) shall,
19 with respect to the land to be conveyed under subsection
20 (a)—

21 (1) segregate the land;

22 (2) endeavor to develop a joint Memorandum of
23 Understanding with the Imperial County Board of
24 Supervisors, the Department of Defense, and the
25 Department of Transportation; such an agreement

1 shall not impose any obligation, term, or condition
2 on the property owned by Imperial County; and

3 (3) prohibit the appropriation of the land
4 until—

5 (A) the date on which a joint Memo-
6 randum of Understanding is signed by the par-
7 ties listed in paragraph (2);

8 (B) the date on which a notice of realty ac-
9 tion terminates the application; and

10 (C) the date on which a document of con-
11 veyance is published.

12 **SEC. 4. VINAGRE WASH SPECIAL MANAGEMENT AREA.**

13 (a) ESTABLISHMENT.—There is established the
14 Vinagre Wash Special Management Area in the State, to
15 be managed by the El Centro Field Office and the Yuma
16 Field Office of the Bureau of Land Management.

17 (b) PURPOSE.—The purpose of the Management
18 Area is to conserve, protect, and enhance—

19 (1) the plant and wildlife values of the Manage-
20 ment Area; and

21 (2) the outstanding and nationally significant
22 ecological, geological, scenic, recreational, archae-
23 ological, cultural, historic, and other resources of the
24 Management Area.

1 (c) BOUNDARIES.—The Management Area shall con-
2 sist of the public land in Imperial County, California, com-
3 prising approximately 81,880 acres, as generally depicted
4 on the map.

5 (d) MAP; LEGAL DESCRIPTION.—

6 (1) IN GENERAL.—As soon as practicable, but
7 not later than 3 years, after the date of enactment
8 of this title, the Secretary shall submit a map and
9 legal description of the Management Area to—

10 (A) the Committee on Natural Resources
11 of the House of Representatives; and

12 (B) the Committee on Energy and Natural
13 Resources of the Senate.

14 (2) EFFECT.—The map and legal description
15 submitted under paragraph (1) shall have the same
16 force and effect as if included in this title, except
17 that the Secretary may correct any errors in the
18 map and legal description.

19 (3) AVAILABILITY.—Copies of the map sub-
20 mitted under paragraph (1) shall be on file and
21 available for public inspection in—

22 (A) the Office of the Director of the Bu-
23 reau of Land Management; and

24 (B) the appropriate office of the Bureau of
25 Land Management in the State.

1 **SEC. 5. MANAGEMENT.**

2 (a) IN GENERAL.—The Secretary shall allow hiking,
3 camping, hunting, and sightseeing and the use of motor-
4 ized vehicles, mountain bikes, and horses on designated
5 routes in the Management Area in a manner that—

6 (1) is consistent with the purpose of the Man-
7 agement Area described in section 4(b);

8 (2) ensures public health and safety; and

9 (3) is consistent with applicable laws and regu-
10 lations, including the Desert Renewable Energy Con-
11 servation Plan.

12 (b) OFF-HIGHWAY VEHICLE USE.—

13 (1) IN GENERAL.—Subject to paragraphs (2)
14 and (3) and all other applicable laws, the use of off-
15 highway vehicles shall be permitted on routes in the
16 Management Area generally depicted on the map.

17 (2) CLOSURE.—The Secretary may temporarily
18 close or permanently reroute a portion of a route de-
19 scribed in paragraph (1)—

20 (A) to prevent, or allow for restoration of,
21 resource damage;

22 (B) to protect tribal cultural resources, in-
23 cluding the resources identified in the tribal cul-
24 tural resources management plan;

25 (C) to address public safety concerns; or

26 (D) as otherwise required by law.

1 (3) DESIGNATION OF ADDITIONAL ROUTES.—
2 During the 3-year period beginning on the date of
3 enactment of this title, the Secretary—

4 (A) shall accept petitions from the public
5 regarding additional routes for off-highway ve-
6 hicles; and

7 (B) may designate additional routes that
8 the Secretary determines—

9 (i) would provide significant or unique
10 recreational opportunities; and

11 (ii) are consistent with the purposes
12 of the Management Area.

13 (c) WITHDRAWAL.—Subject to valid existing rights,
14 all Federal land within the Management Area is with-
15 drawn from—

16 (1) all forms of entry, appropriation, or disposal
17 under the public land laws;

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

20 (3) right-of-way, leasing, or disposition under
21 all laws relating to—

22 (A) minerals; or

23 (B) solar, wind, and geothermal energy.

24 (d) NO BUFFERS.—The establishment of the Man-
25 agement Area shall not—

1 (1) create a protective perimeter or buffer zone
2 around the Management Area; or

3 (2) preclude uses or activities outside the Man-
4 agement Area that are permitted under other appli-
5 cable laws, even if the uses or activities are prohib-
6 ited within the Management Area.

7 (e) NOTICE OF AVAILABLE ROUTES.—The Secretary
8 shall ensure that visitors to the Management Area have
9 access to adequate notice relating to the availability of des-
10 ignated routes in the Management Area through—

11 (1) the placement of appropriate signage along
12 the designated routes;

13 (2) the distribution of maps, safety education
14 materials, and other information that the Secretary
15 determines to be appropriate; and

16 (3) restoration of areas that are not designated
17 as open routes, including vertical mulching.

18 (f) STEWARDSHIP.—The Secretary, in consultation
19 with Indian tribes and other interests, shall develop a pro-
20 gram to provide opportunities for monitoring and steward-
21 ship of the Management Area to minimize environmental
22 impacts and prevent resource damage from recreational
23 use, including volunteer assistance with—

24 (1) route signage;

25 (2) restoration of closed routes;

- 1 (3) protection of Management Area resources;
2 and
3 (4) recreation education.

4 (g) PROTECTION OF TRIBAL CULTURAL RE-
5 SOURCES.—Not later than 2 years after the date of enact-
6 ment of this title, the Secretary, in accordance with chap-
7 ter 2003 of title 54, United States Code, and any other
8 applicable law, shall—

9 (1) prepare and complete a tribal cultural re-
10 sources survey of the Management Area; and

11 (2) consult with the Quechan Indian Nation
12 and other Indian tribes demonstrating ancestral, cul-
13 tural, or other ties to the resources within the Man-
14 agement Area on the development and implementa-
15 tion of the tribal cultural resources survey under
16 paragraph (1).

17 **SEC. 6. POTENTIAL WILDERNESS.**

18 (a) PROTECTION OF WILDERNESS CHARACTER.—

19 (1) IN GENERAL.—The Secretary shall manage
20 the Federal land in the Management Area described
21 in paragraph (2) in a manner that preserves the
22 character of the land for the eventual inclusion of
23 the land in the National Wilderness Preservation
24 System.

1 (2) DESCRIPTION OF LAND.—The Federal land
2 described in this paragraph is—

3 (A) the approximately 10,860 acres of
4 land, as generally depicted as the Indian Pass
5 Additions on the map entitled “Vinagre Wash
6 Proposed Special Management Area” and dated
7 November 10, 2009;

8 (B) the approximately 17,250 acres of
9 land, as generally depicted as Milpitas Wash
10 Potential Wilderness on the map entitled
11 “Vinagre Wash Proposed Special Management
12 Area” and dated November 10, 2009;

13 (C) the approximately 11,840 acres of
14 land, as generally depicted as Buzzards Peak
15 Potential Wilderness on the map entitled
16 “Vinagre Wash Proposed Special Management
17 Area” and dated November 10, 2009; and

18 (D) the approximately 9,350 acres of land,
19 as generally depicted as Palo Verde Mountains
20 Potential Wilderness on the map entitled
21 “Vinagre Wash Proposed Special Management
22 Area” and dated November 10, 2009.

23 (3) USE OF LAND.—

24 (A) MILITARY USES.—The Secretary shall
25 manage the Federal land in the Management

1 Area described in paragraph (2) in a manner
2 that is consistent with the Wilderness Act (16
3 U.S.C. 1131 et seq.), except that the Secretary
4 may authorize use of the land by the Secretary
5 of the Navy for Naval Special Warfare Tactical
6 Training, including long-range small unit train-
7 ing and navigation, vehicle concealment, and ve-
8 hicle sustainment training, in accordance with
9 applicable Federal laws.

10 (B) PROHIBITED USES.—The following
11 shall be prohibited on the Federal land de-
12 scribed in paragraph (2):

13 (i) Permanent roads.

14 (ii) Commercial enterprises.

15 (iii) Except as necessary to meet the
16 minimum requirements for the administra-
17 tion of the Federal land and to protect
18 public health and safety—

19 (I) the use of mechanized vehi-
20 cles; and

21 (II) the establishment of tem-
22 porary roads.

23 (4) WILDERNESS DESIGNATION.—

24 (A) IN GENERAL.—The Federal land de-
25 scribed in paragraph (2) shall be designated as

1 wilderness and as a component of the National
2 Wilderness Preservation System on the date on
3 which the Secretary, in consultation with the
4 Secretary of Defense, publishes a notice in the
5 Federal Register that all activities on the Fed-
6 eral land that are incompatible with the Wilder-
7 ness Act (16 U.S.C. 1131 et seq.) have termi-
8 nated.

9 (B) DESIGNATION.—On designation of the
10 Federal land under clause (i)—

11 (i) the land described in paragraph
12 (2)(A) shall be incorporated in, and shall
13 be considered to be a part of, the Indian
14 Pass Wilderness;

15 (ii) the land described in paragraph
16 (2)(B) shall be designated as the “Milpitas
17 Wash Wilderness”;

18 (iii) the land described in paragraph
19 (2)(C) shall be designated as the “Buzzard
20 Peak Wilderness”; and

21 (iv) the land described in paragraph
22 (2)(D) shall be incorporated in, and shall
23 be considered to be a part of, the Palo
24 Verde Mountains Wilderness.

1 (b) ADMINISTRATION OF WILDERNESS.—Subject to
2 valid existing rights, the land designated as wilderness or
3 as a wilderness addition by this title shall be administered
4 by the Secretary in accordance with this Act and the Wil-
5 derness Act (16 U.S.C. 1131 et seq.).

6 **SEC. 7. DEFINITIONS.**

7 In this Act:

8 (1) MANAGEMENT AREA.—The term “Manage-
9 ment Area” means the Vinagre Wash Special Man-
10 agement Area.

11 (2) MAP.—The term “map” means the map en-
12 titled “Vinagre Wash Proposed Special Management
13 Area; Indian Pass Mountains and Palo Verde Moun-
14 tains Potential Wilderness Additions, and Buzzards
15 Peak, Milpitas Wash Potential Wilderness” and
16 dated February 19, 2015.

17 (3) PUBLIC LAND.—The term “public land”
18 has the meaning given the term “public lands” in
19 section 103 of the Federal Land Policy and Manage-
20 ment Act of 1976 (43 U.S.C. 1702).

21 (4) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

23 (5) STATE.—The term “State” means the State
24 of California.

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