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*HOUSE*

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**REFERENCE:** Vol. 148, No. 136

**SECTION:** House

**TITLE:** DISPOSING OF VARIOUS LEGISLATIVE MEASURES

**SPEAKER:** Mr. ARMEY; Mr. VITTER; Mr. Castle; Mr. BOEHNER; Mr. EVANS; Mr. SIMPSON; Mr. SMITH of New Jersey

**TEXT:** [\*H7964]

H.R. 5200, to establish **wilderness** area, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

Amendment in the Nature of a Substitute to H.R. 5200, as Reported

Offered by Mr. Hansen of Utah

Strike all after the enacting clause and insert the following new text:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clark County Conservation of Public Land and Natural Resources Act of 2002". [\*H7978]

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

Sec. 4. Authorization of appropriations.

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#### TITLE VII\_PUBLIC INTEREST CONVEYANCES

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#### TITLE VIII\_HUMBOLDT PROJECT CONVEYANCE

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Sec. 803. Authority to convey title.

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Sec. 805. Compliance with other laws.

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Sec. 807. Liability.

Sec. 808. National Environmental Policy Act.

Sec. 809. Future benefits.

#### TITLE IX\_MISCELLANEOUS PROVISIONS

Sec. 901. Technical amendments to the Mesquite Lands Act 2001.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) Agreement.\_The term "Agreement" means the Agreement entitled "Interim Cooperative Management Agreement Between the United States of the Interior Bureau of Land Management and Clark County", dated November 4, 1992.

(2) County.\_The term "County" means Clark County, Nevada.

(3) Secretary.\_The term "Secretary" means\_

(A) the Secretary of Agriculture with respect to land in the National Forest System; or

(B) the Secretary of the Interior, with respect to other Federal land.

(4) State.\_The term "State" means the State of Nevada.

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There is authorized such sums as may be necessary to carry out this Act.

#### TITLE I RED ROCK CANYON NATIONAL CONSERVATION AREA LAND EXCHANGE AND BOUNDARY ADJUSTMENT

##### SEC. 101. SHORT TITLE.

This title may be cited as the "Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002".

##### SEC. 102. DEFINITIONS.

As used in this title:

(1) Corporation.\_The term "Corporation" means the Howard Hughes Corporation, an affiliate of the Rouse Company, with its principal place of business at 10000 West Charleston Boulevard, Las Vegas, Nevada.

(2) Red rock canyon.\_The term "Red Rock Canyon" means the Red Rock Canyon National Conservation Area, consisting of approximately 195,780 acres of public lands in Clark County, Nevada, specially designated for protection in the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), as depicted on the Red Rock Canyon Map.

(3) Red rock canyon map.\_The term "Red Rock Canyon Map" means the map entitled "Southern Nevada Public Land Management Act", dated October 1, 2002.

##### SEC. 103. FINDINGS AND PURPOSES.

(a) Findings.\_The Congress makes the following findings:

(1) Red Rock Canyon is a natural resource of major significance to the people of Nevada and the United States. It must be protected in its natural state for the enjoyment of future generations of Nevadans and Americans, and enhanced wherever possible.

(2) In 1998, the Congress enacted the Southern Nevada Public Lands Management Act of 1998 (Public Law 105-263), which provided among other things for the protection and enhancement of Red Rock Canyon.--

(3) The Corporation owns much of the private land on Red Rock Canyon's eastern boundary, and is engaged in developing a large-scale master-planned community.

(4) Included in the Corporation's land holdings are 1,071 acres of high-ground lands at the eastern edge of Red Rock Canyon. These lands were intended to be included in Red Rock, but to date have not been acquired by the United States. The protection of this high-ground acreage would preserve an important element of the western Las Vegas Valley viewshed.

(5) The Corporation has volunteered to forgo development of the high-ground lands, and proposes that the United States acquire title to the lands so that they can be preserved in perpetuity to protect and expand Red Rock Canyon.

(b) Purposes.\_The purpose of this title are:

(1) To accomplish an exchange of lands between the United States and the Corporation that would transfer certain high-ground lands to the United States in exchange for the transfer of other lands of approximately equal value to the Corporation.

(2) To protect Red Rock Canyon and to expand its boundaries as contemplated by the Bureau of Land Management, as depicted on the Red Rock Canyon Map.

(3) To further fulfill the purposes of the Southern Nevada Public Lands Management Act of 1998 and the Red Rock Canyon National Conservation Area Establishment Act of 1990.

#### SEC. 104. RED ROCK CANYON LAND EXCHANGE.

(a) Acquisition Requirement.\_If the Corporation offers to convey to the United States all right, title, and interest in and to the approximately 1,082 acres of non-Federal land owned by the Corporation and depicted on the Red Rock Canyon Map as "Offered Lands proposed addition to the Red Rock Canyon NCA", the Secretary shall accept such offer on behalf of the United States, and not later than 90 days after the date of the offer, except as otherwise provided in this title, shall make the following conveyances:

(1) To the Corporation, the approximately 998 acres of Federal lands depicted on the Red Rock Canyon Map as "Public land selected for exchange".

(2) To Clark County, Nevada, the approximately 1,221 acres of Federal lands depicted on the Red Rock Canyon Map as "Proposed BLM transfer for county park".

(b) Simultaneous Conveyances.\_Title to the private property and the Federal property to be conveyed pursuant to this section shall be conveyed at the same time.

(c) Map.\_The Secretary shall keep the Red Rock Canyon Map on file and available for public inspection in the Las Vegas District Office of the Bureau of Land Management in Nevada, and the State Office of the Bureau of Land Management, Reno, Nevada.

(d) Conditions.\_

(1) Hazardous materials.\_As a condition of the conveyance under --subsection (a)(1), the Secretary shall require that the Corporation be responsible for removal of and remediation related to any hazardous materials that are present on the property conveyed to the United States under subsection (a).

(2) Survey.\_As a condition of the conveyance under subsection (a)(1), the Secretary shall require that not later than 90 days after the date of the offer referred to in subsection (a), the Corporation shall provide a metes and bounds survey, that is acceptable to the Corporation, Clark County, and the Secretary, of the common boundary between the parcels of land to be conveyed under subsection (a).

(3) Lands conveyed to Clark County.\_As a condition of the conveyance under subsection (a)(2), the Secretary shall require that\_

(A) the lands transferred to Clark County by the United States must be held in perpetuity

by the County for use only as a public park or as part of a public regional trail system;  
and

(B) if the County attempts to transfer the lands or to undertake a use on the lands that is inconsistent with their preservation and use as described in subparagraph (A), such lands shall, at the discretion of the Secretary, revert to the United States.

(e) Valuation.\_

(1) Equal value exchange.\_The values of the Federal parcel and the non-Federal parcel, as determined under paragraph (2)\_

(A) shall be equal; or

(B) if the values are not equal, shall be equalized in accordance with paragraph (3).

(2) Appraisal.\_The values of the Federal parcel and the non-Federal parcel shall be determined by an appraisal, to be approved [\*H7979] by the Secretary, that complies with the Uniform Standards for Federal Land Acquisitions.

(3) Equalization.\_

(A) In general.\_If the value of the non-Federal parcel is less than the value of the Federal parcel\_

(i) the Corporation shall make a cash equalization payment to the Secretary; or

(ii) the Secretary shall, as determined to be appropriate by the Secretary and the Corporation, reduce the acreage of the Federal parcel.

(B) Disposition of proceeds.\_The Secretary shall deposit any cash equalization payments received under subparagraph (A)(i) in accordance with section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345).

#### SEC. 105. STATUS AND MANAGEMENT OF LANDS.

(a) Inclusion and Management of Lands.\_Upon the date of the enactment of this Act, the Secretary shall administer the lands depicted on the Red Rock Map as "Public Lands-proposed addition to the Red Rock Canyon NCA", exclusive of those lands used for the Corps of Engineers R-4 Detention Basin, as part of Red Rock and in accordance with the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.) and all other applicable laws.

(b) Inclusion of Acquired Lands.\_Upon acquisition by the United States of lands under this Act, the Secretary shall\_

(1) administer the lands as part of Red Rock and in accordance with the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), the Southern Nevada Public Lands Management Act of 1998 (Public Law 105-263), and all other applicable laws; and

(2) create new maps showing the boundaries of Red Rock as modified or pursuant to this Act, and make such maps available for review at the Las Vegas District Office of the Bureau of Land Management and the State Office of the Bureau of Land Management, Reno, Nevada.

(c) Conforming Amendment.\_Section 3(a)(2) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc-1(a)(2)) is amended by inserting before the period the following: ", and such additional areas as are included in the conservation area pursuant to the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002".

#### SEC. 106. GENERAL PROVISIONS.

(a) Review of Appraisal.\_Not later than 90 days after the date of the enactment of this Act, the Secretary shall complete a review of the appraisal entitled, "Complete Self-Contained Appraisal Red Rock Exchange, Las Vegas, Nevada", completed on or about June 3, 2002. The difference in appraisal values shall be reimbursed to the Secretary by the Corporation in accordance with the Southern Nevada Public Lands Management Act of 1998.

(b) Valid Existing Rights.\_The land exchange under this Act shall be subject to valid existing rights. Each party to which property is conveyed under this Act shall succeed to the rights and obligations of the conveying party with respect to any lease, right-of-way, permit, or other valid existing right to which the property is subject.

(c) Technical Corrections.\_Nothing in this Act prohibits the parties to the conveyances under this Act from agreeing to the correction of technical errors or omissions in the Red Rock Map.

(d) Withdrawal of Affected Lands.\_To the extent not already accomplished under law or administrative action, the Secretary shall withdraw from operation of the public land and mining laws, subject to valid existing rights\_

(1) those Federal lands acquired by the United States under this Act; and

(2) those Federal lands already owned by the United States on the date of enactment of this Act but included within the Red Rock National Conservation Area boundaries by this Act.

### TITLE II **WILDERNESS** AREAS

#### SEC. 201. FINDINGS.

The Congress finds that\_

(1) public land in the County contains unique and spectacular natural resources, including\_

(A) priceless habitat for numerous species of plants and wildlife; and

(B) thousands of acres of pristine land that remain in a natural state;

(2) continued preservation of those areas would benefit the County and all of the United States by\_

(A) ensuring the conservation of ecologically diverse habitat;

(B) conserving primitive recreational resources; and

(C) protecting air and water quality.

SEC. 202. ADDITIONS TO NATIONAL **WILDERNESS** PRESERVATION SYSTEM.

(a) Additions.\_The following land in the State is designated as **wilderness** and as components of the National **Wilderness** Preservation System:

(1) Arrow canyon **wilderness**.\_Certain Federal land managed by the Bureau of Land Management, comprising approximately 27,530 acres, as generally depicted on the map entitled "Arrow Canyon", dated October 1, 2002, which shall be known as the "Arrow Canyon **Wilderness**".

(2) Black canyon **wilderness**.\_Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 17,220 acres, as generally depicted on the map entitled "Eldorado/Spirit Mountain", dated October 1, 2002, which shall be known as the Black Canyon **Wilderness** .

(3) Bridge canyon **wilderness**.\_Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 7,761 acres, as generally depicted on the map entitled "Eldorado/Spirit Mountain", dated October 1, 2002, which shall be known as "the Bridge Canyon **Wilderness**".

(4) Eldorado **wilderness**.\_Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 31,950 acres, as generally depicted on the map entitled "Eldorado/Spirit Mountain", dated October 1, 2002, which shall be known as the "Eldorado **Wilderness**".

(5) Ireteba peaks **wilderness**.\_Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 32,745 acres, as generally depicted on the map entitled "Eldorado/Spirit Mountain", dated October 1, 2002, which shall be known as the "Ireteba Peaks **Wilderness**".

(6) Jimbilnan **wilderness**.\_Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 18,879 acres, as generally depicted on the map entitled "Muddy Mountains", dated October 1, 2002, which shall be known as the "Jimbilnan **Wilderness**".

(7) Jumbo springs **wilderness**.\_Certain Federal land managed by the Bureau of Land Management, comprising approximately 4,631 acres, as generally depicted on the map entitled "Gold Butte", dated October 1, 2002, which shall be known as the "Jumbo Springs **Wilderness**".

(8) La madre mountain **wilderness**.\_Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 47,180 acres, as generally depicted on the map entitled "Spring Mountains", dated October 1, 2002, which shall be known as the "La Madre Mountain **Wilderness**".

(9) Lime canyon **wilderness**.\_Certain Federal land managed by the Bureau of Land Management, comprising approximately 23,233 acres, as generally depicted on the map entitled "Gold Butte", dated October 1, 2002, which shall be known as the "Lime Canyon **Wilderness**".

(10) Mt. charleston **wilderness** additions.\_Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land

Management, comprising approximately 13,598 acres, as generally depicted on the map entitled "Spring Mountains", dated October 1, 2002, which shall be included in the Mt. Charleston **Wilderness**.

**(11) Muddy mountains wilderness.** Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of land managed by the Bureau of Land Management, comprising approximately 48,019 acres, as generally depicted on the map entitled "Muddy Mountains", dated October 1, 2002, which shall be known as the Muddy Mountains **Wilderness**.

**(12) Nellis wash wilderness.** Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 16,423 acres, as generally depicted on the map entitled "Eldorado/Spirit Mountain", dated October 1, 2002, which shall be known as the Nellis Wash **Wilderness**.

**(13) North McCullough wilderness.** Certain Federal land managed by the Bureau of Land Management, comprising approximately 14,763 acres, as generally depicted on the map entitled "McCulloughs", dated October 1, 2002, which shall be known as the North McCullough **Wilderness**.

**(14) Pinto valley wilderness.** Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 39,173 acres, as generally depicted on the map entitled "Muddy Mountains", dated October 1, 2002, which shall be known as the Pinto Valley **Wilderness**.

**(15) Rainbow mountain wilderness.** Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 24,997 acres, as generally depicted on the map entitled "Spring Mountains", dated October 1, 2002, which shall be known as the Rainbow Mountain **Wilderness**.

**(16) South McCullough wilderness.** Certain Federal land managed by the Bureau of Land Management, comprising approximately 44,245 acres, as generally depicted on the map entitled "McCulloughs", dated October 1, 2002, which shall be known as the South McCullough **Wilderness**.

**(17) Spirit mountain wilderness.** Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 33,518 acres, as generally depicted on the map entitled "Eldorado/Spirit Mountain", dated October 1, 2002, which shall be known as the Spirit Mountain **Wilderness**.

**(18) Wee thump Joshua tree wilderness.** Certain Federal land managed by the Bureau of Land Management, comprising approximately 6,050 acres, as generally depicted on the map entitled "McCulloughs", dated October 1, 2002, which shall be known as the Wee Thump Joshua Tree **Wilderness**.

(b) Boundary. [H7980]

(1) Lake offset. The boundary of any portion of a **wilderness** area designated by subsection (a) that is bordered by Lake Mead, Lake Mohave, or the Colorado River shall be 300 feet inland from the high water line.

(2) Road offset. The boundary of any portion of a **wilderness** area designated by subsection (a) that is bordered by a road shall be at least 100 feet from the edge of the

road to allow public access.

(c) Map and Legal Description.\_

(1) In general.\_As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each **wilderness** area designated by subsection (a) with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) Effect.\_Each map and legal description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) Availability.\_Each map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management, National Park Service, or Forest Service, as applicable.

(d) Withdrawal.\_Subject to valid existing rights, the **wilderness** areas designated in this section are withdrawn from\_

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

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

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

SEC. 203. ADMINISTRATION.

(a) Management.\_Subject to valid existing rights, each area designated as **wilderness** by this title shall be administered by the Secretary in accordance with the **Wilderness Act** (16 U.S.C. 1131 et seq.), except that\_

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

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior with respect to lands administered by the Secretary of the Interior.

(b) Livestock.\_Within the **wilderness** areas designated under this title that are administered by the Bureau of Land Management, the grazing of livestock in areas in which grazing is established as of the date of enactment of this Act shall be allowed to continue, subject to such reasonable regulations, policies, and practices that the Secretary considers necessary, consistent with section 4(d)(4) of the **Wilderness Act** (16 U.S.C. 1133(d)(4)), including the guidelines set forth in Appendix A of House Report 101-405.

(c) Incorporation of Acquired Lands and Interests.\_Any land or interest in land within the boundaries of an area designated as **wilderness** by this title that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the **wilderness** area within which the acquired land or interest is located.

(d) Water Rights.\_

(1) Findings.\_Congress finds that\_

(A) the lands designated as **Wilderness** by this Act are within the Mojave Desert, are arid in nature, and include ephemeral streams;

(B) the hydrology of the lands designated as **wilderness** by this Act is locally characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the lands designated as **wilderness** by this Act are generally not suitable for use or development of new water resource facilities and there are no actual or proposed water resource facilities and no opportunities for diversion, storage, or other uses of water occurring outside such lands that would adversely affect the **wilderness** or other values of such lands; and

(E) because of the unique nature and hydrology of these desert lands designated as **wilderness** by this Act and the existence of the Clark County Multi-Species Habitat Conservation Plan it is possible to provide for proper management and protection of the **wilderness**, perennial springs and other values of such lands in ways different from those used in other legislation.

(2) Statutory construction.\_

(A) Nothing in this Act shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the lands designated as **Wilderness** by this Act.

(B) Nothing in this Act shall affect any water rights in the State of Nevada existing on the date of the enactment of this Act, including any water rights held by the United States.

(C) Nothing in this subsection shall be construed as establishing a precedent with regard to any future **wilderness** designations.

(D) Nothing in this Act shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State of Nevada and other States.

(E) Nothing in this subsection shall be construed as limiting, altering, modifying, or amending the Clark County Multi-Species Habitat Conservation Plan (MSHCP) with respect to the lands designated as **Wilderness** by this Act including the MSHCP's specific management actions for the conservation of perennial springs.

(3) Nevada water law.\_The Secretary shall follow the procedural and substantive requirements of the law of the State of Nevada in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the **wilderness** areas designated by this Act.

(4) New projects.\_

(A) As used in this paragraph, the term "water resource" facility means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures. The term "water resource" facility does not include wildlife guzzlers.

(B) Except as otherwise provided in this Act, on and after the date of the enactment of

this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the **wilderness** areas designated by this Act.

#### SEC. 204. ADJACENT MANAGEMENT.

(a) In General.\_Congress does not intend for the designation of **wilderness** in the State pursuant to this title to lead to the creation of protective perimeters or buffer zones around any such **wilderness** area.

(b) Nonwilderness Activities.\_The fact that nonwilderness activities or uses can be seen or heard from areas within a **wilderness** designated under this title shall not preclude the conduct of those activities or uses outside the boundary of the **wilderness** area.

#### SEC. 205. MILITARY OVERFLIGHTS.

Nothing in this title restricts or precludes\_

(1) low-level overflights of military aircraft over the areas designated as **wilderness** by this title, including military overflights that can be seen or heard within the **wilderness** areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the **wilderness** areas.

#### SEC. 206. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this Act shall be construed to diminish the rights of any Indian Tribe. Nothing in this Act shall be construed to diminish tribal rights regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

#### SEC. 207. RELEASE OF **WILDERNESS** STUDY AREAS.

(a) Finding.\_Congress finds that, for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land in the County administered by the Bureau of Land Management and the Forest Service in the following areas have been adequately studied for **wilderness** designation:

(1) The Garrett Buttes **Wilderness** Study Area.

(2) The Quail Springs **Wilderness** Study Area.

(3) The Nellis A, B, C **Wilderness** Study Area.

(4) Any portion of the **wilderness** study areas\_

(A) not designated as **wilderness** by section 202(a); and

(B) designated for release on\_

(i) the map entitled "Muddy Mountains" and dated October 1, 2002;

(ii) the map entitled "Spring Mountains" and dated October 1, 2002;

- (iii) the map entitled "Arrow Canyon" and dated October 1, 2002;
  - (iv) the map entitled "Gold Butte" and dated October 1, 2002;
  - (v) the map entitled "McCullough Mountains" and dated October 1, 2002;
  - (vi) the map entitled "El Dorado/Spirit Mountain" and dated October 1, 2002; or
  - (vii) the map entitled "Southern Nevada Public Land Management Act" and dated October 1, 2002.
- (b) Release. Except as provided in subsection (c), any public land described in subsection (a) that is not designated as **wilderness** by this title\_
- (1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and
- (2) shall be managed in accordance with\_
- (A) land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and
- (B) existing cooperative conservation agreements.
- (c) Right-of-Way Grant. The Secretary shall issue to the State-regulated sponsor of the Centennial Project the right-of-way for the construction and maintenance of two 500-kilovolt electrical transmission lines. The construction shall occur within a 500-foot-wide corridor that is released from the Sunrise Mountains Instant Study Area in the County as depicted on the Southern Nevada Public Land Management Act map, dated October 1, 2002.

#### SEC. 208. WILDLIFE MANAGEMENT.

- (a) In General. In accordance with section 4(d)(7) of the **Wilderness** Act (16 U.S.C. [H7981] 1133(d)(7)), nothing in this title affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the **wilderness** areas designated by this title.
- (b) Management Activities. In furtherance of the purposes and principles of the **Wilderness** Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within **wilderness** areas designated by this title where consistent with relevant **wilderness** management plans, in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, including the occasional and temporary use of motorized vehicles, if such use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance **wilderness** values and accomplish those purposes with the minimum impact necessary to reasonably accomplish the task.
- (c) Existing Activities. Consistent with section 4(d)(1) of the **Wilderness** Act (16 U.S.C. 1133(d)) and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101-405, the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations, including bighorn sheep, and feral stock, horses, and burros.
- (d) Wildlife Water Development Projects. Subject to subsection (f), the Secretary shall,

authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the **wilderness** areas designated by this title if\_

(1) the structures and facilities will, as determined by the Secretary, enhance **wilderness** values by promoting healthy, viable and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the **wilderness** areas can reasonably be minimized.

(e) Hunting, Fishing, and Trapping.\_The Secretary may designate by regulation areas in consultation with the appropriate State agency (except in emergencies), in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the **wilderness** areas designated by this title.

(f) Cooperative Agreement.\_No later than one year after the date of enactment of this Act, the Secretary shall enter into a cooperative agreement with the State of Nevada. The cooperative agreement shall specify the terms and conditions under which the State (including a designee of the State) may use wildlife management activities in the **wilderness** areas designated by this title.

#### SEC. 209. WILDFIRE MANAGEMENT.

Consistent with section 4 of the **Wilderness** Act (16 U.S.C. 1133), nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) to manage wildfires in the **wilderness** areas designated by this title.

#### SEC. 210. CLIMATOLOGICAL DATA COLLECTION.

Subject to such terms and conditions as the Secretary may prescribe, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the **wilderness** areas designated by this title if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

#### SEC. 211. NATIONAL PARK SERVICE LANDS.

To the extent any of the provisions of this title are in conflict with laws, regulations, or management policies applicable to the National Park Service for Lake Mead National Recreation Area, those laws, regulations, or policies shall control.

### TITLE III\_TRANSFERS OF ADMINISTRATIVE JURISDICTION

#### SEC. 301. TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE U.S. FISH AND WILDLIFE SERVICE.

(a) In General.\_Administrative jurisdiction over the land described in subsection (b) is transferred from the Bureau of Land Management to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Range.

(b) Description of Land.\_The parcel of land referred to in subsection (a) is the approximately 26,433 acres of land administered by the Bureau of Land Management as generally depicted on the map entitled "Arrow Canyon" and dated October 1, 2002.

(c) **Wilderness** Release.\_

(1) Congress finds that the parcel of land described in subsection (b) has been adequately studied for **wilderness** designation for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

(2) The parcel of land described in subsection (b)\_

(A) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with

(i) the National Wildlife Refuge System Administration Act, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S. C. 668dd-668ee); and

(ii) existing cooperative conservation agreements.

#### SEC. 302. TRANSFER OF ADMINISTRATIVE JURISDICTION TO NATIONAL PARK SERVICE.

(a) In General.\_Administrative jurisdiction over the parcel of land described in subsection (b) is transferred from the Bureau of Land Management to the National Park Service for inclusion in the Lake Mead National Recreation Area.

(b) Description of Land.\_The parcel of land referred to in subsection (a) is the approximately 10 acres of Bureau of Land Management land, as depicted on the map entitled "Eldorado/Spirit Mountain" and dated October 1, 2002.

(c) Use of Land.\_The parcel of land described in subsection (b) shall be used by the National Park Service for administrative facilities.