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**TITLE:** TAX RELIEF AND HEALTH CARE ACT OF 2006

Subtitle B\_ **Wilderness** Areas

SEC. 321. SHORT TITLE.

This subtitle may be cited as the "Pam White **Wilderness** Act of 2006".

SEC. 322. FINDINGS.

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 land that remain in a natural state; and

(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) protecting prehistoric cultural resources;

(C) conserving primitive recreational resources; and

(D) protecting air and water quality.

SEC. 323. 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) Mt. moriah **wilderness** addition.\_Certain Federal land managed by the Forest Service and the Bureau of Land Management, comprising approximately 11,261 acres, as generally depicted on the map entitled "Eastern White Pine County" and dated November 29, 2006, is incorporated in, and shall be managed as part of, the Mt. Moriah **Wilderness**, as designated by section 2(13) of the Nevada **Wilderness** Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195).

(2) Mount grafton **wilderness**.\_Certain Federal land managed by the Bureau of Land Management, comprising approximately 78,754 acres, as generally depicted on the map

entitled "Southern White Pine County" and dated November 29, 2006, which shall be known as the "Mount Grafton **Wilderness**".

(3) South egan range **wilderness**. \_Certain Federal land managed by the Bureau of Land Management, comprising approximately 67,214 acres, as generally depicted on the map entitled "Southern White Pine County" and dated November 29, 2006, which shall be known as the "South Egan Range **Wilderness**".

(4) Highland ridge **wilderness**. \_Certain Federal land managed by the Bureau of Land Management and the Forest Service, comprising approximately 68,627 acres, as generally depicted on the map entitled "Southern White Pine County" and dated November 29, 2006, which shall be known as the "Highland Ridge **Wilderness**".

(5) Government peak **wilderness**. \_Certain Federal land managed by the Bureau of Land Management, comprising approximately 6,313 acres, as generally depicted on the map entitled "Eastern White Pine County" and dated November 29, 2006, which shall be known as the "Government Peak **Wilderness**".

(6) Currant mountain **wilderness** addition. \_Certain Federal land managed by the Forest Service, comprising approximately 10,697 acres, as generally depicted on the map entitled "Western White Pine County" and dated November 29, 2006, is incorporated in, and shall be managed as part of, the "Currant Mountain **Wilderness**", as designated by section 2(4) of the Nevada **Wilderness** Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195).

(7) Red mountain **wilderness**. \_Certain Federal land managed by the Forest Service, comprising approximately 20,490 acres, as generally depicted on the map entitled "Western White Pine County" and dated November 29, 2006, which shall be known as the "Red Mountain **Wilderness**".

(8) Bald mountain **wilderness**. \_Certain Federal land managed by the Bureau of Land Management and the Forest Service, comprising approximately 22,366 acres, as generally depicted on the map entitled "Western White Pine County" and dated November 29, 2006, which shall be known as the "Bald Mountain **Wilderness**".

(9) White pine range **wilderness**. \_Certain Federal land managed by the Forest Service, comprising approximately 40,013 acres, as generally depicted on the map entitled "Western White Pine County" and dated November 29, 2006, which shall be known as the "White Pine Range **Wilderness**".

(10) Shellback **wilderness**. \_Certain Federal land managed by the Forest Service, comprising approximately 36,143 acres, as generally depicted on the map entitled "Western White Pine County" and dated November 29, 2006, which shall be known as the "Shellback **Wilderness**".

(11) High schells **wilderness**. \_Certain Federal land managed by the Forest Service, comprising approximately 121,497 acres, as generally depicted on the map entitled "Eastern White Pine County" and dated November 29, 2006, which shall be known as the "High Schells **Wilderness**".

(12) Becky peak **wilderness**. \_Certain Federal land managed by the Bureau of Land Management, comprising approximately 18,119 acres, as generally depicted on the map entitled "Northern White Pine County" and dated November 29, 2006, which shall be known as the "Becky Peak **Wilderness**".

(13) Goshute canyon **wilderness**. \_Certain Federal land managed by the Bureau of Land

Management, comprising approximately 42,544 acres, as generally depicted on the map entitled "Northern White Pine County" and dated November 29, 2006, which shall be known as the "Goshute Canyon **Wilderness**".

(14) Bristlecone **wilderness**.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 14,095 acres, as generally depicted on the map entitled "Eastern White Pine County" and dated November 29, 2006, which shall be known as the "Bristlecone **Wilderness**".

(b) Boundary.—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 Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(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—

(A) the Bureau of Land Management;

(B) the Forest Service; and

(C) the National Park Service.

(d) Withdrawal.—Subject to valid existing rights, the **wilderness** areas designated by subsection (a) 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 and geothermal leasing laws.

(e) Mt. Moriah **Wilderness** Boundary Adjustment.—The boundary of the Mt. Moriah **Wilderness** established under section 2(13) of the Nevada **Wilderness** Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195) is adjusted to include only the land identified as the "Mount Moriah **Wilderness** Area" and "Mount Moriah Additions" on the map entitled "Eastern White Pine County" and dated November 29, 2006.

#### SEC. 324. ADMINISTRATION.

(a) Management.—Subject to valid existing rights, each area designated as **wilderness** by this subtitle 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 Agriculture or the Secretary of the Interior, as appropriate.

(b) Livestock.\_Within the **wilderness** areas designated under this subtitle that are administered by the Bureau of Land Management and the Forest Service, 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\_

(1) subject to such reasonable regulations, policies, and practices that the Secretary considers necessary; and

(2) 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 Land and Interests.\_Any land or interest in land within the boundaries of an area designated as **wilderness** by this subtitle 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.  
[\*H9053]

(d) Water Rights.\_

(1) Findings.\_Congress finds that\_

(A) the land designated as **wilderness** by this subtitle is located\_

(i) in the semiarid region of the Great Basin; and

(ii) at the headwaters of the streams and rivers on land with respect to which there are few if any\_

(I) actual or proposed water resource facilities located upstream; and

(II) opportunities for diversion, storage, or other uses of water occurring outside the land that would adversely affect the **wilderness** values of the land;

(B) the land designated as **wilderness** by this subtitle is generally not suitable for use or development of new water resource facilities; and

(C) because of the unique nature of the land designated as **wilderness** by this subtitle, it is possible to provide for proper management and protection of the **wilderness** and other values of land in ways different from those used in other laws.

(2) Purpose.\_The purpose of this section is to protect the **wilderness** values of the land designated as **wilderness** by this subtitle by means other than a federally reserved water right.

(3) Statutory construction.\_Nothing in this subtitle\_

(A) 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 a **wilderness** designated by this subtitle;

(B) shall affect any water rights in the State (including any water rights held by the

United States) in existence on the date of enactment of this Act;

(C) shall be construed as establishing a precedent with regard to any future **wilderness** designations;

(D) shall affect the interpretation of, or any designation made pursuant to, any other Act; or

(E) shall be construed as limiting, altering, modifying, or amending any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(4) Nevada water law.\_The Secretary shall follow the procedural and substantive requirements of State law 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 subtitle.

(5) New projects.\_

(A) Definition of water resource facility.\_In this paragraph, the term "water resource facility" \_

(i) means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures; and

(ii) does not include wildlife guzzlers.

(B) Restriction on new water resource facilities.\_Except as otherwise provided in this title, on or after the date of 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 a **wilderness** area that is wholly or partially within the County.

#### SEC. 325. ADJACENT MANAGEMENT.

(a) In General.\_Congress does not intend for the designation of **wilderness** in the State by this subtitle 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 subtitle shall not preclude the conduct of those activities or uses outside the boundary of the **wilderness** area.

#### SEC. 326. MILITARY OVERFLIGHTS.

Nothing in this subtitle restricts or precludes\_

(1) low-level overflights of military aircraft over the areas designated as **wilderness** by this subtitle, 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. 327. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this subtitle shall be construed to diminish\_

- (1) the rights of any Indian tribe; or
- (2) tribal rights regarding access to Federal land for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

SEC. 328. 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 Bureau of Land Management land has been adequately studied for **wilderness** designation in any portion of the **wilderness** study areas or instant study areas\_

- (1) not designated as **wilderness** by section
- (2) depicted as released on the maps entitled\_
  - (A) "Eastern White Pine County" and dated November 29, 2006;
  - (B) "Northern White Pine County" and dated November 29, 2006;
  - (C) "Southern White Pine County" and dated November 29, 2006; and
  - (D) "Western White Pine County" and dated November 29, 2006.

(b) Release.\_

(1) In general.\_Any public land described in subsection (a) that is not designated as **wilderness** by this subtitle\_

(A) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));

(B) shall be managed in accordance with\_

- (i) land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and
- (ii) cooperative conservation agreements in existence on the date of enactment of this Act; and

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

(2) Exception.\_The requirements described in paragraph (1) shall not apply to the portion of the Goshute Canyon **Wilderness** Study Area located outside of the County.

SEC. 329. WILDLIFE MANAGEMENT.

(a) In General.\_In accordance with section 4(d)(7) of the **Wilderness** Act (16 U.S.C. 1133(d)(7)), nothing in this subtitle affects 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 subtitle.

(b) Management Activities.\_In furtherance of the purposes and principles of the **Wilderness** Act (16 U.S.C. 1131 et seq.), the Secretary may conduct such management activities as are necessary to maintain or restore fish and wildlife populations and habitats in the **wilderness** areas designated by this subtitle if those activities are conducted\_

(1) consistent with relevant **wilderness** management plans; and

(2) in accordance with\_

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

(B) 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 the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance **wilderness** values and accomplish those tasks with the minimal impact necessary to reasonably accomplish those tasks.

(c) Existing Activities.\_Consistent with section 4(d)(1) of the **Wilderness** Act (16 U.S.C. 1133(d)(1)) 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, feral horses, and feral 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 subtitle 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.\_

(1) In general.\_The Secretary may designate by regulation areas 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 subtitle.

(2) Consultation.\_Except in emergencies, the Secretary shall consult with the appropriate State agency before promulgating regulations under paragraph (1).

(f) Cooperative Agreement.\_

(1) In general.\_The State (including a designee of the State) may conduct wildlife management activities in the **wilderness** areas designated by this subtitle\_

(A) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State, entitled "Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9," and signed November and December 2003, including any amendments to the cooperative agreement agreed to by the Secretary and the State; and

(B) subject to all applicable laws and regulations.

(2) References.\_

(A) Clark county.\_For purposes of this subsection, any references to Clark County in the cooperative agreement described in paragraph (1)(A) shall be considered to be references to White Pine County, Nevada.

(B) Bureau of land management.\_For purposes of this subsection, any references to the Bureau of Land Management in the cooperative agreement described in paragraph (1)(A) shall also be considered to be references to the Forest Service.

#### SEC. 330. WILDFIRE, INSECT, AND DISEASE MANAGEMENT.

Consistent with section 4(d)(1) of the **Wilderness** Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures as may be necessary in the control of fire, insects, and [\*H9054] diseases, including coordination with a State or local agency, as the Secretary deems appropriate.

#### SEC. 331. CLIMATOLOGICAL DATA COLLECTION.

If the Secretary determines that hydrologic, meteorologic, or climatological collection devices are appropriate to further the scientific, educational, and conservation purposes of the **wilderness** areas designated by this subtitle, nothing in this subtitle precludes the installation and maintenance of the collection devices within the **wilderness** areas.

#### Subtitle C\_Transfers of Administrative Jurisdiction

#### SEC. 341. TRANSFER TO THE UNITED STATES 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 Ruby Lake National Wildlife Refuge.

(b) Description of Land.\_The parcel of land referred to in subsection (a) is approximately 645 acres of land administered by the Bureau of Land Management and identified on the map entitled "Ruby Lake Land Transfer" and dated July 10, 2006, as "Lands to be transferred to the Fish and Wildlife Service".

#### SEC. 342. TRANSFER TO THE BUREAU OF LAND MANAGEMENT.

(a) In General.\_Subject to subsection (c), administrative jurisdiction over the parcels of land described in subsection (b) is transferred from the Forest Service to the Bureau of Land Management.

(b) Description of Land.\_The parcels of land referred to in subsection (a) are\_

(1) the land administered by the Forest Service and identified on the map entitled "Southern White Pine County" and dated November 29, 2006, as "Withdrawal Area";

(2) the land administered by the Forest Service and identified on the map entitled "Southern White Pine County" and dated November 29, 2006, as "Highland Ridge **Wilderness**"; and

(3) all other Federal land administered by the Forest Service that is located adjacent to the Highland Ridge **Wilderness**.

(c) Continuation of Cooperative Agreements.\_Any existing Forest Service cooperative agreement or permit in effect on the date of enactment of this Act relating to a parcel of land to which administrative jurisdiction is transferred by subsection (a) shall be continued by the Bureau of Land Management unless there is reasonable cause to terminate the agreement or permit, as determined by the Secretary.

(d) Withdrawal.\_Subject to valid existing rights, all Federal land within the Withdrawal Area is withdrawn from all forms of\_

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

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

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

(e) Motorized and Mechanical Vehicles.\_Use of motorized and mechanical vehicles in the withdrawal area designated by this subtitle shall be permitted only on roads and trails designated for their use, unless the use of those vehicles is needed\_

(1) for administrative purposes; or

(2) to respond to an emergency.

#### SEC. 343. TRANSFER TO THE FOREST SERVICE.

(a) In General.\_Subject to subsection (c), administrative jurisdiction over the parcels of land described in subsection (b) is transferred from the Bureau of Land Management to the Forest Service.

(b) Description of Land.\_The parcels of land referred to in subsection (a) are the approximately 5,799 acres of land administered by the Bureau of Land Management and identified on the map entitled "Western White Pine County", dated November 29, 2006, as the BLM Public Land Transfer to the US Forest Service.

(c) Continuation of Cooperative Agreements.\_Any existing Bureau of Land Management cooperative agreement or permit in effect on the date of enactment of this Act relating to a parcel of land to which administrative jurisdiction is transferred by subsection (a) shall be continued by the Forest Service unless there is reasonable cause to terminate the agreement or permit, as determined by the Secretary.

#### SEC. 344. AVAILABILITY OF MAP AND LEGAL DESCRIPTIONS.

The maps of the land transferred by this subtitle shall be on file and available for public inspection in the appropriate offices of\_

(1) the Bureau of Land Management;

(2) the Forest Service;

(3) the National Park Service; and

(4) the United States Fish and Wildlife Service.

Subtitle D\_Public Conveyances

SEC. 351. CONVEYANCE TO THE STATE OF NEVADA.

(a) Conveyance.\_Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), the Secretary shall convey to the State, subject to valid existing rights, for no consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (b) if the State and the County enter into a written agreement supporting the conveyance.

(b) Description of Land.\_The parcels of land referred to in subsection (a) are\_

(1) the approximately 6,281 acres of Bureau of Land Management land identified as "Steptoe Valley Wildlife Management Area Expansion Proposal" on the map entitled "Ely, Nevada Area" and dated November 29, 2006;

(2) the approximately 658 acres of Bureau of Land Management land identified as "Ward Charcoal Ovens Expansion" on the map entitled "Ely, Nevada Area" and dated November 29, 2006; and

(3) the approximately 2,960 acres of Forest Service identified as "Cave Lake State Park Expansion" on the map entitled "Ely, Nevada Area" and dated November 29, 2006.

(c) Costs.\_Any costs relating to a conveyance under subsection (a), including costs for surveys and other administrative costs, shall be paid by the State.

(d) Use of Land.\_

(1) In general.\_Any parcel of land conveyed to the State under subsection (a) shall be used only for\_

(A) the conservation of wildlife or natural resources; or

(B) a public park.

(2) Facilities.\_Any facility on a parcel of land conveyed under subsection (a) shall be constructed and managed in a manner consistent with the uses described in paragraph (1).

(e) Reversion.\_If a parcel of land conveyed under subsection (a) is used in a manner that is inconsistent with the uses described in subsection (d), the parcel of land shall, at the discretion of the Secretary, revert to the United States.

SEC. 352. CONVEYANCE TO WHITE PINE COUNTY, NEVADA.

(a) In General.\_Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), the Secretary shall convey to the County, without consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (b).

(b) Description of Land.\_The parcels of land referred to in subsection (a) are\_

(1) the approximately 1,551 acres of land identified on the map entitled "Ely, Nevada Area", dated November 29, 2006, as the Airport Expansion; and

(2) the approximately 202 acres of land identified on the map entitled "Ely, Nevada

Area", dated November 29, 2006, as the Industrial Park Expansion.

(c) Authorized Uses.\_

(1) Airport expansion.\_The parcel of land described in subsection (b)(1) shall be used by the County to expand the Ely Airport.

(2) Industrial park expansion.\_The parcel of land described in subsection (b)(2) shall be used by the County to expand the White Pine County Industrial Park.

(3) Use of certain land for nonresidential development.\_

(A) In general.\_After conveyance to the County of the land described in subsection (b), the County may sell, lease, or otherwise convey any portion of the land conveyed for purposes of nonresidential development relating to the authorized uses described in paragraphs (1) and (2).

(B) Method of sale.\_The sale, lease, or conveyance of land under subparagraph (A) shall be\_

(i) through a competitive bidding process; and

(ii) for not less than fair market value.

(C) Disposition of proceeds.\_The gross proceeds from the sale, lease, or conveyance of land under subparagraph (A) shall be distributed in accordance with section

(d) Reversion.\_If a parcel of land conveyed under subsection (a) is used in a manner that is inconsistent with the use described for the parcel in paragraph (1), (2), or (3) of subsection (c), the parcel of land shall, at the discretion of the Secretary, revert to the United States.

#### Subtitle E\_Silver State Off-Highway Vehicle Trail

#### SEC. 355. SILVER STATE OFF-HIGHWAY VEHICLE TRAIL.

(a) Study.\_

(1) In general.\_Not later than 3 years after the date of enactment of this Act, the Secretary shall complete a study of routes (with emphasis on roads and trails in existence on the date of enactment of this Act) in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the Silver State Off-Highway Vehicle Trail (referred to in this section as the "Trail").

(2) Preferred route.\_Based on the study conducted under paragraph (1), the Secretary, in consultation with the State, the County, and any interested persons, shall identify the preferred route for the Trail.

(b) Designation of Trail.\_

(1) In general.\_Subject to paragraph (2), not later than 90 days after the date on which the study is completed under subsection (a), the Secretary shall designate the Trail.

(2) Limitations.\_The Secretary shall designate the Trail only if the Secretary\_

(A) determines that the route of the Trail would not have significant negative impacts on

wildlife, natural or cultural resources, or traditional uses; and

(B) ensures that the Trail designation\_

(i) is an effort to extend the Silver State Off-Highway Vehicle Trail designated under section 401(b) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (16 U.S.C. 1244 note; Public Law 108-424); and

(ii) is limited to\_

(I) 1 route that generally runs in a north-south direction; and

(II) 1 potential spur running west.

(c) Management.\_ [\*H9055]

(1) In general.\_The Secretary shall manage the Trail in a manner that\_

(A) is consistent with any motorized and mechanized uses of the Trail that are authorized on the date of enactment of this Act under applicable Federal and State laws (including regulations);

(B) ensures the safety of the individuals who use the Trail; and

(C) does not damage sensitive wildlife habitat, natural, or cultural resources.

(2) Management plan.\_

(A) In general.\_Not later than 2 years after the date of designation of the Trail, the Secretary, in consultation with the State, the County, and any other interested persons, shall complete a management plan for the Trail.

(B) Components.\_The management plan shall\_

(i) describe the appropriate uses and management of the Trail;

(ii) authorize the use of motorized and mechanized vehicles on the Trail; and

(iii) describe actions carried out to periodically evaluate and manage the appropriate levels of use and location of the Trail to minimize environmental impacts and prevent damage to cultural resources from the use of the Trail.

(3) Monitoring and evaluation.\_

(A) Annual assessment.\_The Secretary shall annually assess\_

(i) the effects of the use of off-highway vehicles on the Trail to minimize environmental impacts and prevent damage to cultural resources from the use of the Trail; and

(ii) in consultation with the Nevada Department of Wildlife, the effects of the Trail on wildlife and wildlife habitat to minimize environmental impacts from the use of the Trail.

(B) Closure.\_The Secretary, in consultation with the State and the County and subject to subparagraph (C), may temporarily close or permanently reroute a portion of the Trail if the Secretary determines that\_

- (i) the Trail is having an adverse impact on\_
  - (I) wildlife habitats;
  - (II) natural resources;
  - (III) cultural resources; or
  - (IV) traditional uses;
- (ii) the Trail threatens public safety;
- (iii) closure of the Trail is necessary to repair damage to the Trail; or
- (iv) closure of the Trail is necessary to repair resource damage.

(C) Rerouting.\_Any portion of the Trail that is temporarily closed may be permanently rerouted along existing roads and trails on public land open to motorized use if the Secretary determines that rerouting the portion of the Trail would not significantly increase or decrease the length of the Trail.

(D) Notice.\_The Secretary shall provide information to the public with respect to any routes on the Trail that are closed under subparagraph (B), including through the provision of appropriate signage along the Trail.

(4) Notice of open routes.\_The Secretary shall ensure that visitors to the Trail have access to adequate notice relating to the routes on the Trail that are open through\_

(A) the provision of appropriate signage along the Trail; and

(B) the distribution of maps, safety education materials, and any other information that the Secretary determines to be appropriate.

(d) No Effect on Non-Federal Land and Interests in Land.\_Nothing in this section affects the ownership or management of, or other rights relating to, non-Federal land or interests in non-Federal land.

Subtitle F\_Transfer of Land to Be Held in Trust for the Ely Shoshone Tribe.

#### SEC. 361. TRANSFER OF LAND TO BE HELD IN TRUST FOR THE ELY SHOSHONE TRIBE.

(a) In General.\_Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)\_

(1) shall be held in trust by the United States for the benefit of the Ely Shoshone Tribe (referred to in this section as the "Tribe"); and

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

(b) Description of Land.\_The land referred to in subsection (a) consists of parcels 1, 2, 3, and 4, totaling the approximately 3,526 acres of land that are identified on\_

(1) the Ely, Nevada Area map dated November 29, 2006; and

(2) the Eastern White Pine County map dated November 29, 2006, as the "Ely Shoshone

Expansion".

(c) Survey.\_Not later than 180 days after the date of enactment of this Act, the Bureau of Land Management shall complete a survey of the boundary lines to establish the boundaries of the trust land.

(d) Conditions.\_

(1) Gaming.\_Land taken into trust under subsection (a) shall not be\_

(A) considered to have been taken into trust for gaming (as that term is used in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)); and

(B) used for gaming.

(2) Trust land for ceremonial use.\_With respect to the use of the land identified on the map as "Ely Shoshone Expansion" and marked as "3", the Tribe\_

(A) shall limit the use of the surface of the land to traditional and customary uses and stewardship conservation for the benefit of the Tribe; and

(B) shall not permit any permanent residential or recreational development on, or commercial use of, the surface of the land, including commercial development or gaming.

(3) Thinning; landscape restoration.\_With respect to land taken into trust under subsection (a), the Forest Service and the Bureau of Land Management may, in consultation and coordination with the Tribe, carry out any thinning and other landscape restoration work on the trust land that is beneficial to the Tribe and the Forest Service or the Bureau of Land Management.

Subtitle G\_Eastern Nevada Landscape Restoration Project.

#### SEC. 371. FINDINGS; PURPOSES.

(a) Findings.\_Congress finds that\_

(1) there is an increasing threat of wildfire in the Great Basin;

(2) those wildfires\_

(A) endanger homes and communities;

(B) damage or destroy watersheds and soils; and

(C) pose a serious threat to the habitat of threatened and endangered species;

(3) forest land and rangeland in the Great Basin are degraded as a direct consequence of land management practices (including practices to control and prevent wildfires) that disrupt the occurrence of frequent low-intensity fires that have periodically removed flammable undergrowth; and

(4) additional scientific information is needed in the Great Basin for\_

(A) the design, implementation, and adaptation of landscape-scale restoration treatments; and

(B) the improvement of wildfire management technology and practices.

(b) Purposes.\_The purposes of this subtitle are to\_

(1) support the Great Basin Restoration Initiative through the implementation of the Eastern Nevada Landscape Restoration Project; and

(2) ensure resilient and healthy ecosystems in the Great Basin by restoring native plant communities and natural mosaics on the landscape that function within the parameters of natural fire regimes.

#### SEC. 372. DEFINITIONS.

In this subtitle:

(1) Initiative.\_The term "Initiative" means the Great Basin Restoration Initiative.

(2) Project.\_The term "Project" means the Eastern Nevada Landscape Restoration Project authorized under section

(3) Secretaries.\_The term "Secretaries" means the Secretary of Agriculture and the Secretary of the Interior.

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

#### SEC. 373. RESTORATION PROJECT.

(a) In General.\_In accordance with all applicable Federal laws, the Secretaries shall carry out the Eastern Nevada Landscape Restoration Project to\_

(1) implement the Initiative; and

(2) restore native rangelands and native woodland (including riparian and aspen communities) in White Pine and Lincoln Counties in the State.

(b) Grants; Cooperative Agreement.\_In carrying out the Project\_

(1) the Secretaries may make grants to the Eastern Nevada Landscape Coalition, the Great Basin Institute, and other entities for the study and restoration of rangeland and other land in the Great Basin\_

(A) to assist in\_

(i) reducing hazardous fuels; and

(ii) restoring native rangeland and woodland; and

(B) for other related purposes; and

(2) notwithstanding sections 6301 through 6308, of title 31, United States Code, the Director of the Bureau of Land Management and the Chief of the Forest Service may enter into an agreement with the Eastern Nevada Landscape Coalition, the Great Basin Institute, and other entities to provide for the conduct of scientific analyses, hazardous fuels and mechanical treatments, and related work.

(c) Research Facility.\_The Secretaries may conduct a feasibility study on the potential

establishment of an interagency science center, including a research facility and experimental rangeland in the eastern portion of the State.

(d) Funding.\_Section 4(e)(3)(A) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346; 116 Stat. 2007; 118 Stat. 2414) is amended\_

(1) by redesignating clause (viii) as clause (ix); and

(2) by inserting after clause (vii) the following:

"(viii) to carry out the Eastern Nevada Landscape Restoration Project in White Pine County, Nevada and Lincoln County, Nevada; and".

Subtitle H\_Amendments to the Southern Nevada Public Land Management Act of 1998

#### SEC. 381. FINDINGS.

Section 2(a)(3) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2343) is amended by inserting "the Sloan Canyon National Conservation Area," before "and the Spring Mountains".

#### SEC. 382. AVAILABILITY OF SPECIAL ACCOUNT.

Section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414) is amended\_  
[\*H9056]

(1) in paragraph (3)\_

(A) in subparagraph (A)\_

(i) by striking "may be expended" and inserting "shall be expended";

(ii) in clause (ii)\_

(I) by inserting ", the Great Basin National Park," after "the Red Rock Canyon National Conservation Area";

(II) by inserting "and the Forest Service" after "the Bureau of Land Management"; and

(III) by striking "Clark and Lincoln Counties" and inserting "Clark, Lincoln, and White Pine Counties";

(iii) in clause (iii), by inserting "and implementation" before "of a multispecies habitat";

(iv) in clause (iv), by striking "Clark and Lincoln Counties," and inserting "Clark, Lincoln, and White Pine Counties and Washoe County (subject to paragraph (4)),";

(v) in clause (v), by striking "Clark and Lincoln Counties" and inserting "Clark, Lincoln, and White Pine Counties";

(vi) in clause (vii)\_

(I) by striking "for development" and inserting "development"; and

(II) by striking "and" at the end;

(vii) by redesignating clauses (viii) and (ix) (as amended by section

(viii) by inserting after clause (vii) the following:

"(viii) reimbursement of any costs incurred by the Bureau of Land Management to clear debris from and protect land that is\_

"(I) located in the disposal boundary described in subsection (a); and

"(II) reserved for affordable housing;

"(ix) development and implementation of comprehensive, cost-effective, multijurisdictional hazardous fuels reduction and wildfire prevention plans (including sustainable biomass and biofuels energy development and production activities) for the Lake Tahoe Basin (to be developed in conjunction with the Tahoe Regional Planning Agency), the Carson Range in Douglas and Washoe Counties and Carson City in the State, and the Spring Mountains in the State, that are\_

"(I) subject to approval by the Secretary; and

"(II) not more than 10 years in duration;"; and

(B) by inserting after subparagraph (C) the following:

"(D) Transfer requirement.\_Subject to such terms and conditions as the Secretary may prescribe, and notwithstanding any other provision of law\_

"(i) for amounts that have been authorized for expenditure under subparagraph (A)(iv) but not transferred as of the date of enactment of this subparagraph, the Secretary shall, not later than 60 days after a request for funds from the applicable unit of local government or regional governmental entity, transfer to the applicable unit of local government or regional governmental entity the amount authorized for the expenditure; and

"(ii) for expenditures authorized under subparagraph (A)(iv) that are approved by the Secretary, the Secretary shall, not later than 60 days after a request for funds from the applicable unit of local government or regional governmental entity, transfer to the applicable unit of local government or regional governmental entity the amount approved for expenditure."; and

(2) by adding at the end the following:

"(4) Limitation for washoe county.\_Until December 31, 2011, Washoe County shall be eligible to nominate for expenditure amounts to acquire land (not to exceed 250 acres) and develop 1 regional park and natural area.".

Subtitle I\_Amendments to the Lincoln County Conservation, Recreation, and Development Act of 2004