AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

113TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
113–593

NORTHERN NEVADA LAND CONSERVATION AND ECONOMIC DEVELOPMENT ACT

SEPTEMBER 15, 2014.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 5205]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5205) to authorize certain land conveyances involving public lands in northern Nevada to promote economic development and conservation, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Northern Nevada Land Conservation and Economic Development Act".

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

Sec. 1. Short title; table of contents.

TITLE I—PINE FOREST RANGE RECREATION ENHANCEMENT ACT

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

TITLE II—LYON COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT

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

TITLE III—CARLIN ECONOMIC SELF-DETERMINATION ACT

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

39–006

TITLE IV—FERNLEY ECONOMIC SELF-DETERMINATION ACT

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

TITLE V—RESTORING STOREY COUNTY ACT

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

TITLE VI—ELKO MOTOCROSS AND TRIBAL CONVEYANCE ACT

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

Subtitle A—Elko Motocross Land Conveyance

Sec. 611. Definitions.
Sec. 612. Conveyance of land to Elko County.

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

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

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

Sec. 701. Short title.
Sec. 702. Transfer of Department of the Interior land.
Sec. 703. Water rights.
Sec. 704. Withdrawal.

TITLE I—PINE FOREST RANGE RECREATION ENHANCEMENT ACT

SEC. 101. SHORT TITLE.

This title may be cited as the "Pine Forest Range Recreation Enhancement Act".

SEC. 102. DEFINITIONS.

In this title:

(1) COUNTY.—The term "County" means Humboldt County, Nevada.

(2) MAP.—The term "Map" means the map entitled "Proposed Pine Forest Range Wilderness Area" and dated October 28, 2013.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(4) STATE.—The term "State" means the State of Nevada.

(5) WILDERNESS.—The term "Wilderness" means the Pine Forest Range Wilderness designated by section 103(a).

SEC. 103. ADDITION TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 26,000 acres of Federal land managed by the Bureau of Land Management, as generally depicted on the Map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the "Pine Forest Range Wilderness".

(b) BOUNDARY.—

(1) ROAD ACCESS.—The boundary of any portion of the Wilderness that is bordered by a road shall be 100 feet from the edge of the road.

(2) ROAD ADJUSTMENTS.—The Secretary shall—

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

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

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

(D) manage the access road, through Little Onion Basin, on the east side of the wet meadow to retain travel only on the road existing on the date of the enactment of this Act; and

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

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

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

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

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

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) WITHDRAWAL.—Subject to valid existing rights, the Wilderness is 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) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

SEC. 104. ADMINISTRATION.

(a) MANAGEMENT.—Subject to valid existing rights, the Wilderness 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 the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

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

(b) LIVESTOCK.—The grazing of livestock in the Wilderness, if established before the date of enactment of this Act, is compatible with the Wilderness designation and shall continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

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

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

(c) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(2) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen, heard, or detected from areas within the Wilderness shall not preclude, limit, control, regulate or determine the conduct or management of the activities or uses outside the boundary of the Wilderness.

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

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

(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.

(e) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in the Wilderness as are necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(f) WILDFIRE MANAGEMENT OPERATIONS.—Nothing in this Act shall be construed to preclude a Federal, State, or local agency from conducting wildfire management or prevention operations (including operations using aircraft or mechanized equipment) or to interfere with the authority of the Secretary to authorize mechanical thinning of trees or underbrush to prevent or control the spread of wildfires or the use of mechanized equipment for wildfire pre-suppression and suppression.

(g) WATER RIGHTS.—

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

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

(A) constitutes an express or implied reservation by the United States of any water or water rights with respect to the Wilderness;

(B) affects 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) establishes a precedent with regard to any future wilderness designations;

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

(E) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(3) 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.

(4) NEW PROJECTS.—

(A) DEFINITION OF WATER RESOURCE FACILITY.—

(i) IN GENERAL.—In this paragraph, the term "water resource facility" 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.

(ii) EXCLUSION.—In this paragraph, the term "water resource facility" 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 the Wilderness, any portion of which is located in the County.

SEC. 105. RELEASE OF WILDERNESS STUDY AREAS.

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

(1) Lower Adler Creek Basin.

(2) Little Onion Basin.

(3) Lands east of Knott Creek reservoir.

(4) Portions of Corral Meadow and the Blue Lakes trailhead.

(b) RELEASE.—Any public land described in subsection (a) that is not designated as wilderness by this Act—

(1) is no longer subject to—

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

(B) Secretarial Order 3310 issued on December 22, 2010;

(2) shall be managed in accordance with—

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

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

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

SEC. 106. 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 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.

(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 any management activities in the Wilderness that are necessary to maintain or restore fish and wildlife populations and the habitats to support those populations, if the activities are carried out—

(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 the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (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 recreation with the minimal impact necessary to reasonably accomplish those tasks, including but not limited to, the hunting or culling of wildlife and access for persons with disabilities.

(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 the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife in the Wilderness.

(d) EMERGENCY CLOSURES.—Nothing in this title prohibits a Federal land management agency from establishing or implementing emergency closures or restrictions of the smallest practicable area to provide for public safety, resource conservation, national security, or other purposes as authorized by law. Such an emergency closure shall terminate after a reasonable period of time, but no longer than one year, unless converted to a permanent closure consistent with Federal statute.

(e) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—The State, including a designee of the State, may conduct wildlife management activities in the Wilderness—

(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 (including regulations).

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

SEC. 107. LAND EXCHANGES.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term "Federal land" means Federal land in the County that is identified for disposal by the Secretary through the Winnemucca Resource Management Plan.

(2) NON-FEDERAL LAND.—The term "non-Federal land" means land identified on the Map as "non-Federal lands for exchange".

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

(c) CONDITIONS.—Each land exchange under subsection (a) shall be subject to—

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

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

(d) DEADLINE FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that the land exchanges under this section be completed by not later than 5 years after the date of enactment of this Act.

SEC. 108. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

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

TITLE II—LYON COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT

SEC. 201. SHORT TITLE; TABLE OF CONTENTS.

This title may be cited as the "Lyon County Economic Development and Conservation Act".

SEC. 202. LAND CONVEYANCE TO YERINGTON, NEVADA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term "City" means the city of Yerington, Nevada.

(2) FEDERAL LAND.—The term "Federal land" means the land located in Lyon County and Mineral County, Nevada, that is identified on the map as "City of Yerington Sustainable Development Conveyance Lands".

(3) MAP.—The term "map" means the map entitled "Yerington Land Conveyance" and dated December 19, 2012.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

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

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, subject to valid existing rights and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the City, subject to the agreement of the City, all right, title, and interest of the United States in and to the Federal land identified on the map.

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

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

(B) based on an appraisal that is conducted in accordance with—

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

(ii) the Uniform Standards of Professional Appraisal Practice.

(3) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(4) APPLICABLE LAW.—Beginning on the date on which the Federal land is conveyed to the City, the development of and conduct of activities on the Federal land shall be subject to all applicable Federal laws (including regulations).

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

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

(B) all costs related to the conveyance, including all surveys, appraisals, and other administrative costs associated with the conveyance of the Federal land to the City under paragraph (1).

SEC. 203. ADDITION TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term "County" means Lyon County, Nevada.

(2) MAP.—The term "map" means the map entitled "Wovoka Wilderness Area" and dated December 18, 2012.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(4) STATE.—The term "State" means the State of Nevada.

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

(b) ADDITION TO NATIONAL WILDERNESS PRESERVATION SYSTEM.—

(1) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Federal land managed by the Forest Service, as generally depicted on the Map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the "Wovoka Wilderness".

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

(3) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(B) EFFECT.—The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical and typographical errors in the map or legal description.

(C) AVAILABILITY.—Each map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

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

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

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

(C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

(c) ADMINISTRATION.—

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

(2) LIVESTOCK.—The grazing of livestock in the Wilderness, if established before the date of enactment of this Act, shall continue, subject to such reasonable

regulations, policies, and practices as the Secretary considers to be necessary, in accordance with—

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

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

(3) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(B) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen, heard, or detected from areas within the Wilderness shall not preclude, limit, control, regulate, or determine the conduct of the activities or uses outside the boundary of the Wilderness.

(4) OVERFLIGHTS.—Nothing in this section restricts or precludes—

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

(B) flight testing and evaluation; or

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

(5) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take any measures in the Wilderness that the Secretary determines to be necessary for the control of fire, insects, and diseases, including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency.

(6) WATER RIGHTS.—

(A) PURPOSE.—The purpose of this paragraph is to protect the wilderness values of the Wilderness by means other than a federally reserved water right.

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

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

(ii) affects 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;

(iii) establishes a precedent with regard to any future wilderness designations;

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

(v) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(C) 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.

(D) NEW PROJECTS.—

(i) DEFINITION OF WATER RESOURCE FACILITY.—

(I) IN GENERAL.—In this subparagraph, the term "water resource facility" 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.

(II) EXCLUSION.—In this subparagraph, the term "water resource facility" does not include wildlife guzzlers.

(ii) RESTRICTION ON NEW WATER RESOURCE FACILITIES.—

(I) IN GENERAL.—Except as otherwise provided in this section, on or after the date of enactment of this Act, neither the President nor any 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, any portion of which is located in the County.

(II) EXCEPTION.—If a permittee within the Bald Mountain grazing allotment submits an application for the development of water resources for the purpose of livestock watering by the date that is 10 years after the date of enactment of this Act, the Secretary shall issue a water development permit within the non-wilderness boundaries of the Bald Mountain grazing allotment for the purposes of carrying out activities under paragraph (2).

(d) WILDLIFE MANAGEMENT.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section 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.

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

(A) consistent with relevant wilderness management plans; and

(B) in accordance with—

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

(ii) appropriate policies, such as those set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), including the occasional and temporary use of motorized vehicles and aircraft, if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks, including but not limited to, the hunting or culling of wildlife and access for persons with disabilities.

(3) 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 in the Wilderness.

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

(5) MEMORANDUM OF UNDERSTANDING.—The State, including a designee of the State, may conduct wildlife management activities in the Wilderness—

(A) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State entitled "Memorandum of Understanding: Intermountain Region USDA Forest Service and the Nevada Department of Wildlife State of Nevada" and signed by the designee of the State on February 6, 1984, and by the designee of the Secretary on January 24, 1984, including any amendments, appendices, or additions to the agreement agreed to by the Secretary and the State or a designee; and

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

(e) WILDLIFE WATER DEVELOPMENT PROJECTS.—Subject to subsection (c), the Secretary shall authorize structures and facilities, including existing structures and facilities, for wildlife water development projects (including guzzlers) in the Wilderness 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 can reasonably be minimized.

SEC. 204. WITHDRAWAL.

(a) DEFINITION OF WITHDRAWAL AREA.—In this section, the term "Withdrawal Area" means the land administered by the Forest Service and identified as "Withdrawal Area" on the map described in section 203(a)(2).

(b) 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.

(c) MOTORIZED AND MECHANICAL VEHICLES.—

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

(A) for administrative purposes; or
(B) to respond to an emergency.

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

SEC. 205. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

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

TITLE III—CARLIN ECONOMIC SELF-DETERMINATION ACT

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

(a) DEFINITIONS.—In this title:

(1) CITY.—The term "City" means the City of Carlin, Nevada.

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

(3) MAP.—The term "map" means the map entitled "Proposed Carlin, Nevada Land Sales" map dated October 25, 2013.

(b) CONVEYANCE REQUIRED.—Subject to valid existing rights and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 180 days after the date on which the Secretary of the Interior receives a request from the City for the Federal land, the Secretary shall convey to the City, without consideration, all right, title, and interest of the United States to and in the Federal land.

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

(d) COSTS.—At closing for the conveyance authorized under subsection (b) the City shall pay or reimburse the Secretary, as appropriate, for the reasonable transaction and administrative personnel costs associated with the conveyance authorized under such subsection, including the costs of title searches, maps, and boundary and cadastral surveys.

(e) RELEASE OF UNITED STATES.—Upon making the conveyance under subsection (b), notwithstanding any other provision of law, the United States is released from any and all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product of any kind), solid waste, mine materials or mining related features (including tailings, overburden, waste rock, mill remnants, pits, or other hazards resulting from the presence of mining related features) on the Federal land in existence on or before the date of the conveyance.

(f) WITHDRAWAL.—Subject to valid existing rights, the Federal land identified for conveyance shall be 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) disposition under the mineral leasing, mineral materials and geothermal leasing laws.

TITLE IV—FERNLEY ECONOMIC SELF-DETERMINATION ACT

SEC. 401. DEFINITIONS.

In this title:

(1) CITY.—The term "City" means the City of Fernley, Nevada.

(2) FEDERAL LAND.—The term "Federal land" means the land located in the City of Fernley, Nevada, that is identified as "Proposed Sale Parcels" on the map.

(3) MAP.—The term "map" means the map entitled "Proposed Fernley, Nevada, Land Sales" and dated January 25, 2013.

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

(a) CONVEYANCE AUTHORIZED.—Subject to valid existing rights and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 180 days after the date on which the Secretary of the Interior receives a request from

the City for the Federal land, the Secretary shall convey to the City, without consideration, all right, title, and interest of the United States to and in the Federal land.

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

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

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

(2) the Newlands Project.

(d) COSTS.—At closing for the conveyance authorized under subsection (a), the City shall pay or reimburse the Secretary, as appropriate, for the reasonable transaction and administrative personnel costs associated with the conveyance authorized under such subsection, including the costs of title searches, maps, and boundary and cadastral surveys.

SEC. 403. RELEASE OF UNITED STATES.

Upon making the conveyance under section 402, notwithstanding any other provision of law, the United States is released from any and all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product of any kind), solid waste, mine materials or mining related features (including tailings, overburden, waste rock, mill remnants, pits, or other hazards resulting from the presence of mining related features) on the Federal land in existence on or before the date of the conveyance.

TITLE V—RESTORING STOREY COUNTY ACT

SEC. 501. SHORT TITLE.

This title may be cited as the "Restoring Storey County Act".

SEC. 502. DEFINITIONS.

In this title:

(1) COUNTY.—The term "County" means Storey County, Nevada.

(2) FEDERAL LAND.—The term "Federal land" means the approximately 1,745 acres of Federal land identified on the map as "BLM Owned - County Request Transfer".

(3) MAP.—The term "map" means the map titled "Restoring Storey County Act" and dated November 20, 2012.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

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

Subject to valid existing rights and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 180 days after the date of the enactment of this Act and if requested by the County, the Secretary shall convey to the County, by quitclaim deed, all surface rights of the United States in and to the Federal land, including any improvements thereon. All costs associated with the conveyance under this section shall be the responsibility of the Bureau of Land Management.

TITLE VI—ELKO MOTOCROSS AND TRIBAL CONVEYANCE ACT

SEC. 601. SHORT TITLE.

This title may be cited as the "Elko Motocross and Tribal Conveyance Act".

SEC. 602. DEFINITION OF SECRETARY.

In this title, the term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

Subtitle A—Elko Motocross Land Conveyance

SEC. 611. DEFINITIONS.

In this subtitle:

(1) COUNTY.—The term "county" means the county of Elko, Nevada.

(2) MAP.—The term "map" means the map entitled "Elko Motocross Park" and dated April 19, 2013.

SEC. 612. CONVEYANCE OF LAND TO ELKO COUNTY.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights and the provisions of this section, if requested by the county the Secretary shall convey to the county, without consideration, all right, title, and interest of the United States in and to the land described in subsection (b).

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 275 acres of land managed by the Bureau of Land Management, Elko District, Nevada, as generally depicted on the map as "Elko Motocross Park".

(c) MAP AND LEGAL DESCRIPTION.—

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

(2) MINOR ERRORS.—The Secretary may correct any minor error in the map or the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) USE OF CONVEYED LAND.—The land conveyed under this subtitle shall be used only as a motocross, bicycle, off-highway vehicle, or stock car racing area, or for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.).

(e) ADMINISTRATIVE COSTS.—The Secretary shall require the county to pay all survey costs and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (b).

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

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

(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 and use of the Te-moak Tribe of Western Shoshone Indians of Nevada (Elko Band) (referred to in this subtitle 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) is the approximately 373 acres of land administered by the Bureau of Land Management, as generally depicted on the map as "Expansion Area".

(c) MAP.—The term "map" means the map entitled "Te-moak Tribal Land Expansion", dated April 19, 2013. This map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

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

(e) USE OF TRUST LAND.—

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

(2) GENERAL USES.—

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

(i) traditional and customary uses;

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

(iii) residential or recreational development.

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

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities on the land that is beneficial to the Tribe and the Bureau of Land Management.

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

SEC. 701. SHORT TITLE.

This title may be cited as the "Naval Air Station Fallon Housing and Safety Development Act".

SEC. 702. TRANSFER OF DEPARTMENT OF THE INTERIOR LAND.

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

(b) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in subsection (a) is the parcel of approximately 400 acres of land under the jurisdiction of the Secretary of the Interior that—

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

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

(c) MANAGEMENT.—On transfer of the Federal land described under subsection (b) to the Secretary of the Navy, the Secretary of the Navy shall have full jurisdiction, custody, and control of the Federal land.

SEC. 703. WATER RIGHTS.

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

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

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

(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act.

SEC. 704. WITHDRAWAL.

Subject to valid existing rights, the Federal land to be transferred under section 702 is withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws, so long as the land remains under the administrative jurisdiction of the Secretary of the Navy.

PURPOSE OF THE BILL

The purpose of H.R. 5205 is to authorize certain land conveyances involving public lands in northern Nevada to promote economic development and conservation.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 5205 is the product of lengthy negotiations with the Nevada Congressional delegation, which further refined a compilation of Northern Nevada bills approved by the Natural Resources Committee in January 2014, or Committee Print 113–1. Committee Print 113–1 was never introduced as a bill as the affected stakeholders and the Nevada delegation requested changes to reflect a broader compromise. H.R. 5205 combines seven bills addressing federal land issues in northern Nevada and will provide a more

balanced or complimentary approach to the proposed wilderness designations included in the package. This compilation of northern Nevada land bills is titled the Northern Nevada Land Conservation and Economic Development Act.

The bill is comprised of modified versions of: the Pine Forest Range Recreation Enhancement Act of 2013 (H.R. 433) as Title I; the Lyon County Economic Development and Conservation Act (H.R. 696) as Title II; the Carlin Economic Self-Determination Act (H.R. 1168) as Title III; the Fernley Economic Self-Determination Act (H.R. 1170) as Title IV; the Restoring Storey County Act (H.R. 1167) as Title V; the first two titles of the Nevada Native Nations Lands Act (H.R. 2455 or S. 1167) as Title VI; and the Naval Air Station Fallon Housing and Safety Development Act (H.R. 1169) as Title VII. Again, each of these titles exclusively addresses land issues in northern Nevada and prescribes the preferred or best use, management or appropriate designation of the land, or addresses or resolves long-standing issues within the affected federal lands.

Title I—Pine Forest Range Recreation Enhancement Act (H.R. 433)

Title I consists of the text of H.R. 433, introduced by Congressman Mark E. Amodei (R–NV), is a wilderness bill that is the result of a grassroots work product. H.R. 433 would designate 26,000 acres of land in northwest Nevada as the Pine Forest Range Wilderness, encompassing the bulk of the Blue Lake and Alder Creek Wilderness Study Areas. In addition, the bill includes two private land exchanges that increase the size of the wilderness proposal by an estimated 1,539 acres, with another 1,600 acres of public land recommended for inclusion. Title I of H.R. 5025 is supported by a 100% consensus among the working group, the Nevada congressional delegation, a unanimous vote by the Humboldt County Commission and resolutions of support from the Nevada Association of Counties, the State Assembly, and the State Senate and numerous others.

In 1977, the Bureau of Land Management (BLM) began an initial inventory of nearly 49 million acres of federal land within Nevada. In 1979, BLM concluded that 34 million of those acres did not warrant official designation as wilderness areas pursuant to the Wilderness Act of 1964. BLM divided the remaining 15 million acres into extensive inventory units, resulting in the designation of 110 wilderness study areas (WSAs) in Nevada covering 5.1 million acres.

Between 1980 and 1991, each WSA was analyzed and studied through 17 environmental impact statements (EISs) to evaluate the level of impact on wilderness values, mineral and energy resources, recreational off-road vehicle use, maintenance and construction of livestock developments, vegetative manipulation projects, woodland product harvesting and wildlife concerns. Each WSA was further evaluated with regard to its representative contribution to the National Wilderness Preservation System, its proximity to population centers, its manageability and its social and economic impact. Each WSA was also subjected to public scrutiny, with the public participating in the review of each EIS through public meetings, workshops, open houses, mailings, map reviews and written comments.

In 1991, BLM completed a wilderness study report which contained recommendations for each of the 110 WSAs in Nevada. It

called for the designation of 1.9 million acres as wilderness and the release of 3.2 million acres in all or portions of 52 WSAs. The report was sent to the Secretary of the Interior in October 1991 and eventually to the President and Congress.

Congress, which has the sole authority to designate wilderness areas and is not held to a set period within which it must designate any of those areas, has yet to act on the recommendations of BLM. Absent Congressional action, WSAs are managed as if they are wilderness areas.

The Blue Lake and Alder Creek WSAs cover 20,508 and 5,142 acres, respectively, in the Pine Forest area of Humboldt County, Nevada. In August 2009, the Board of County Commissioners of Humboldt County commissioned a new WSA review process, and the Pine Forest Wilderness Study Area Working Group, representing sportsmen, off-highway vehicle users, ranchers, the Humboldt County Administrator, the Nevada Department of Wildlife, guides and outfitters, wilderness advocates, and mining interests was established. The Working Group was created to evaluate the Blue Lake and Alder Creek WSAs and to make findings and develop recommendations for the Board of County Commissioners of Humboldt County to forward to the Nevada Congressional delegation.

The Pine Forest Wilderness Study Area Working Group held several work sessions and formal field trips before making findings and developing recommendations for the Board of County Commissioners. This work resulted in the findings and legislative language in H.R. 433.

This text was approved by the Full Natural Resources Committee in January 2014 as Title I of Committee Print 113–1.

Title II—Lyon County Economic Development and Conservation Act (H.R. 696)

Title II, the text of H.R. 696, introduced by Congressman Steven A. Horsford (D–NV), mandates the fair market sale of approximately 10,200 acres of public land to the City of Yerington for recreation, economic development, and open space purposes. The purchase of these lands will allow the City of Yerington to annex the Pumpkin Hollow Mine site (operated by Nevada Copper), sell utility services to the mine operation, benefit from taxes paid by the mine, and allow the City to grow economically and benefit from greatly needed recreation, cultural and economic development lands. The development agreement between the City and Nevada Copper will insure that the company leaves behind resources and assets that will provide sustainable economic growth for the City when the mining subsides. This will provide economic enhancement for decades at no cost to the American taxpayer.

The legislation also designates approximately 47,449 acres of U.S. Forest Service land as the Wovoka Wilderness, which is located in the South Pine Grove Hills. The land was identified as part of a local consultation process in an effort to advance the land purchase proposal by making it more palatable to conservation proponents.

The City of Yerington, in Lyon County, Nevada, has an unemployment rate hovering around 15 percent, the highest unemployment rate in the State of Nevada. The conveyance of the federal

land under Title II of H.R. 5205 will help the City and County to grow and provide additional tax revenue. The industrial and commercial development of the federal land would create thousands of long-term, high-paying jobs for the City and County.

For over five years, the City of Yerington and Lyon County, Nevada, have been working with private business partners to develop a sustainable development plan that would enable all parties to benefit from the use of private land adjacent to Yerington for potential commercial and industrial development, mining activities, recreation opportunities, and the expansion of community and cultural events. The sustainable development plan requires the conveyance of certain federal land administered by BLM to the City at fair market value. The federal land to be conveyed to the City has very few environmental, historical, wildlife, or cultural resources of value to the public, but is appropriate for responsible development. The federal land that would be conveyed is adjacent to the City limits and would be used to enhance recreational, cultural, commercial, and industrial development opportunities in the City. It would also provide critical infrastructure services and benefit future economic development and regional use, and serve as an open space buffer to the City. The commercial and industrial development of the federal land will enable the community to benefit from the transportation, power, and water infrastructure that would be put in place with the concurrent development of commercial and industrial operations.

A version of the bill without the wilderness component passed the House of Representatives in the 112th Congress as Title IX of H.R. 2578, and with the wilderness component was included as Title II of Committee Print 113–1.

Title III—Carlin Economic Self-Determination Act (H.R. 1168)

Title III consists of the text of H.R. 1168, introduced by Congressman Mark E. Amodei (R–NV), and would convey, without consideration and subject to valid existing rights, approximately 1,329 acres of BLM lands to the City of Carlin, Nevada. The lands surround the City, and BLM would be required to convey the land within 180 days. The federal government would also be released from any liabilities related to the property following the conveyance.

With thriving mining and transportation industries, in addition to the numerous support businesses, the City of Carlin, Nevada, is in the midst of an economic recovery. The significant growth and expanding businesses in the area is creating a demand for more space for commercial, residential and other economic development purposes.

BLM controls significant tracts of land in and around Carlin. Without access to these lands for housing and business expansion, the ongoing economic development and long-term prosperity of the community could be curtailed. Title III of H.R. 5205 will provide the essential space for expansion and allow for the continued economic growth of the city.

The text of Title III was favorably reported by the Committee by unanimous consent on September 20, 2013 (H. Rpt. 113–220), and was included as Title III of Committee Print 113–1.

Title IV—Fernley Economic Self-Determination Act (H.R. 1170)

Title IV consists of the text of H.R. 1170, introduced by Congressman Mark E. Amodei (R–NV), which would convey to the City of Fernley, Nevada, without consideration, approximately 9,407 acres of BLM and Bureau of Reclamation land (BLM = 8,603 acres and Reclamation = 804 acres) within the City boundaries at fair market value for future economic development, public use and open space. The City of Fernley and the Bureau of Reclamation will be able to retain easements or rights-of-way on the conveyed lands for the operation and maintenance of the Truckee Irrigation District Canal and the Newlands Project. The bill also releases the federal government from any liabilities related to the property following the conveyance.

Since its incorporation in 2001, the City of Fernley, Nevada, has been working with private business and state and federal agencies on a long-term, sustainable economic development plan. This plan requires the conveyance of BLM and Reclamation lands within the City for commercial and industrial development, agriculture activities, recreation opportunities, and community and cultural events. The City of Fernley would also benefit from the transportation, power and water infrastructure that will be put in place with the concurrent development of commercial and industrial operations on those lands.

The text of Title IV was favorably reported by the Committee on December 16, 2013 (H. Rpt. 113–297), and was included as Title IV of Committee Print 113–1.

Title V—Restoring Storey County Act (H.R. 1167)

Title V consists of the text of H.R. 1167, introduced by Congressman Mark E. Amodei (R–NV), which would convey, subject to valid existing rights, approximately 1,745 surface acres of BLM lands to Virginia City in Storey County, Nevada.

BLM owns real property in Storey County in the State of Nevada. While the real property is under the jurisdiction of the Secretary of the Interior, some of the real property has been occupied for decades by individuals who took possession by purchase or other documented and putatively legal transactions. Their continued occupation, however, constitutes a trespass on the title held by the federal government.

As a result of the confused and conflicting ownership claims spanning more than a century, the real property is difficult, if not impossible, to manage under the BLM's multiple use policies and is a continuing source of friction and unease between the federal government and local residents. Conveying the surface acreage will promote administrative efficiency and effectiveness and resolve the long-standing title dispute.

This text was included as Title V of Committee Print 113–1 following a Subcommittee on Public Lands and Environmental Regulation hearing on October 3, 2013.

Title VI—Elko Motocross and Tribal Conveyance Act (H.R. 2455)

Title VI consists of the text of Title I of H.R. 2455, introduced by Congressman Mark E. Amodei (R–NV), which conveys approximately 275 acres of BLM-managed lands to Elko County, Nevada, for a public motocross park. The conveyance would be subject to

valid existing rights and the County would pay all administrative costs associated with the transfer. The bill also provides that approximately 373 acres of BLM-managed lands be held in trust for the benefit of the Te-Moak Tribe of Western Shoshone Indians. The legislation provides that if the Tribe uses the land for purposes other than those identified in the bill, the Tribe would pay the Secretary of the Interior fair market value for the land.

The legislation represents both tribal trust and land conveyance provisions that represent years of cooperative efforts and discussions between the Te-Moak Tribe of Western Shoshone Indians of Nevada, the City of Elko, the County of Elko, and BLM.

These lands are adjacent to an existing parcel of the Elko Colony. The Elko Colony, approximately 190 non-contiguous acres near the City of Elko, is one of four separate colonies inhabited by the Te-Moak Tribe of Western Shoshone Indians. The population of the Elko Band of the Te-Moak Tribe has grown steadily but their land base has remained unchanged for many years. The additional land is needed for housing and community development.

This text was included as Title VI of Committee Print 113–1, and was also ordered favorably reported by the Committee on June 19, 2014.

Title VII—Naval Air Station Fallon Housing and Safety Development Act (H.R. 1169)

Title VII consists of the text of H.R. 1169, introduced by Congressman Mark E. Amodei (R–NV), which would direct the Secretary of the Interior to transfer approximately 400 acres of BLM land in Churchill County, Nevada, to the Secretary of the Navy for housing and continued use by Naval Air Station Fallon.

This legislation was favorably reported by the Committee on June 17, 2013, and was included in the House-passed National Defense Authorization bill for 2014. It was also included in the House-passed National Defense Authorization bill for fiscal year 2015.

The 400 acres of BLM land to be transferred is adjacent to Naval Air Station Fallon in Churchill County, Nevada. The acreage in question was withdrawn from the operation of the public land laws for 20 years under a 1991 Public Land Order. The withdrawal was to provide the base with acreage for housing and a safety arc for an explosive ordinance handling facility. The housing was never constructed due to the limited length of the withdrawal. The 400 acres to be transferred would continue to be used by Naval Air Station Fallon as a safety arc for an explosive ordinance handling facility and to construct the much-needed family housing.

This text was favorably reported by the Committee on June 17, 2013 (H. Rpt. 113–111), and was included as Title VII of Committee Print 113–1.

COMMITTEE ACTION

H.R. 5205 was introduced on July 25, 2014, by Congressman Mark E. Amodei (R–NV) and was referred to the Committee on Natural Resources. On July 30, 2014, the Natural Resources Committee met to consider the bill. Congressman Rob Bishop (R–UT) offered an amendment designated #1 to the bill; the amendment was adopted by voice vote. No further amendments were offered,

and the bill, as amended, was adopted and ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 5205—Northern Nevada Land Conservation and Economic Development Act

Summary: H.R. 5205 would require the Bureau of Land Management (BLM) to convey certain federal lands in Nevada to other government entities. The bill also would designate 73,500 acres as wilderness. Finally, the bill would require the Secretary of the Interior to take certain lands into trust for the benefit of the Te-moak Tribe. Based on information provided by the affected agencies and assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost less than $500,000. In addition, CBO estimates that enacting H.R. 5205 would increase offsetting receipts, which are treated as reductions in direct spending, by $2 million in 2015; therefore, pay-as-you-go procedures apply. Enacting the legislation would not affect revenues.

H.R. 5205 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. Conveyances of federal land authorized in the bill would benefit cities and counties in Nevada. Any costs to those entities would be incurred voluntarily as conditions of land conveyances. The Te-moak Tribe of the Western Shoshone Indians of Nevada would benefit from federal land being taken into trust by the federal government on their behalf.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

Title I, Pine Forest Range Recreation Enhancement Act

Title I would designate 26,000 acres of land in northwest Nevada as the Pine Forest Range Wilderness. The bill also would authorize the Secretary of the Interior to conduct certain land exchanges. Based on information provided by BLM, CBO estimates that implementing title I would have no significant effect on the federal budget.

The acreage to be added to the National Wilderness Preservation System is currently administered by BLM. CBO estimates that no additional resources would be required to manage the affected lands as a result of the new designation. Based on information provided by BLM, CBO expects that certain road modifications required under title I will be made under current law Finally, we expect that any costs to revise brochures, maps, and signs would be minimal because most such revisions would take place in conjunction with scheduled reprinting and routine maintenance.

In addition, title I would give the Secretary of the Interior the discretion to make certain land exchanges in accordance with an existing resource management plan. Because the Secretary can use existing authorities to complete those land exchanges, CBO expects that any exchanges conducted under the bill will also occur under current law, and thus we estimate that the provision would have no budgetary impact.

Finally, CBO estimates that enacting title I would not affect offsetting receipts because the affected lands are already managed for conservation purposes and are not expected to generate any income in the future.

Title II, Lyon County Economic Development and Conservation Act

Title II would require the Secretary of the Interior to sell, at fair market value, roughly 10,000 acres of federal lands to the city of Yerington, Nevada. Title II also would designate about 47,500 acres in Nevada as wilderness.

Under the bill, the city of Yerington would be required to pay fair market value for the federal lands it acquires. Based on information provided by BLM regarding the appraised value of the affected lands, CBO estimates that proceeds from the sale would total $2 million in 2015. Those amounts would be deposited in the U.S. Treasury as offsetting receipts. Because the bill would require the city to pay any administrative costs associated with the sale, CBO estimates that completing the land sale would not affect discretionary spending.

Title II also would add 47,500 acres to the National Wilderness Preservation System and withdraw those lands from programs to develop mineral and geothermal resources. Because the affected lands are already protected for conservation and wilderness values, CBO estimates that implementing title II would have no significant effect on the cost of administering those lands. We also expect that any costs to modify existing maps and other materials would be minimal Finally, because the affected lands currently produce no income (and are not expected to do so in the figure), we estimate that enacting title II would not affect offsetting receipts.

Title III, Carlin Economic Self-Determination Act

Title III would require the Secretary of the Interior to convey, without consideration, about 1,400 acres of federal land in Nevada to the city of Carlin. Under the bill, the city would be required to pay for any administrative costs associated with the conveyance. In addition, because the affected lands currently produce no income (and are not expected to do so in the future), we estimate that enacting title III would not affect offsetting receipts.

Tile IV, Fernley Economic Self-Determination Act

Title IV would direct the Secretary of the Interior to convey, without consideration, up to 9,400 acres of federal land to the city of Fernley, Nevada. Under the bill, the city would be required to pay for any administrative costs associated with the conveyance. In addition, because the affected lands currently produce no income (and are not expected to do so in the future), we estimate that enacting title III would not affect offsetting receipts.

Title V, Restoring Storey County Act

Title V would require BLM to convey, without consideration, 1,745 acres of federal land to Storey County in Nevada. Because the bill would require BLM to cover any administrative costs associated with the conveyance, CBO estimates that implementing title V would cost less than $500,000. That estimate is based on information from the agency and assumes appropriation of the necessary amounts. In addition, because the affected lands are expected to generate receipts for the federal government in the future, CBO estimates that conveying those lands would reduce offsetting receipts; however, we estimate that any effects would be minimal.

Title VI, Elko Motocross and Tribal Conveyance Act

Title VI would require the Secretary of the Interior to convey, without consideration, 275 acres of federal land in Nevada to Elko County. Title VI also would require the Department of the Interior to take 373 acres of land currently administered by BLM into trust for the benefit of the Te-moak Tribe. Under the bill, the city would be required to pay for any administrative costs associated with the conveyance. In addition, because the affected lands are expected to generate receipts for the federal government in the future, CBO estimates that conveying those lands would reduce offsetting receipts; however, we estimate that any effects would be minimal.

Title VII, Naval Air Station Fallon Housing and Safety Development Act

Title VII would require the Secretary of the Interior to transfer administrative jurisdiction over 400 acres of land to the Secretary of the Navy. Those lands would be used by the Navy as a housing area. Under current law, the affected lands are subject to a temporary 3 right-of-way that allows the Navy to use those lands for military purposes. Because CBO expects that those lands would not generate any receipts over the next 10 years, we estimate that enacting title VII would not affect direct spending. In addition, because those lands are already managed by the federal government, we estimate that implementing title VII would not increase federal costs.

Pay-As-You-Go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The changes in outlays that are subject to pay-as-you-go procedures are shown in the following table.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 5205, THE NORTHERN NEVADA LAND CONSERVATION AND ECONOMIC DEVELOPMENT ACT, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON NATURAL RESOURCES ON JULY 30, 2014

	By fiscal year, in millions of dollars—												
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2014–2019	2014–2024
NET INCREASE OR DECREASE (-) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact ..	0	−2	0	0	0	0	0	0	0	0	0	−2	−2

Previous CBO estimates: On June 7, 2013, CBO transmitted a cost estimate for S. 342, the Pine Forest Range Recreation Enhancement Act of 2013, as ordered reported by the Senate Committee on Energy and Natural Resources on May 16, 2013. Title I contains provisions similar to those in S. 342, and the estimated costs are the same.

On June 26, 2013, CBO transmitted a cost estimate for S. 159, the Lyon County Economic Development and Conservation Act, as ordered reported by the Senate Committee on Energy and Natural Resources on June 18, 2013. Title II contains provisions similar to those in S. 159, and the estimated costs are the same.

On September 11, 2013, 030 transmitted a cost estimate for H.R. 1168, a bill to direct the Secretary of the Interior, acting through the Bureau of Land Management, to convey to the City of Carlin, Nevada, in exchange for consideration, all right, title, and interest of the United States, to any federal land within that city that is under the jurisdiction of that agency, and for other purposes, as ordered reported by the House Committee on Natural Resources on July 31, 2013. Title III contains provisions similar to those in H.R. 1168; however, under H.R. 1168, the city would be required to pay fair market value for the affected lands. The CBO cost estimates for those provisions reflect that difference.

On November 14, 2013, CBO transmitted a cost estimate for H.R. 1170, a bill to direct the Secretary of the Interior, acting through the Bureau of Land Management and the Bureau of Reclamation, to convey, by quitclaim deed, to the city of Fernley, Nevada, all right, title, and interest of the United States, to any federal land within that city that is under the jurisdiction of either of those agencies, as ordered reported by the House Committee on Natural Resources on July 31, 2013. Title IV contains provisions similar to those in H.R. 1170; however, under H.R. 1170, the city would be required to pay fair market value for the affected lands. The CBO cost estimates for those provisions reflect that difference.

On May 31, 2013, CBO transmitted a cost estimate or H.R. 1169, the Naval Air Station Fallon Housing and Safety Development Act, as ordered reported by the House Committee on Natural Resources on May 15, 2013. Title VII contains provision similar to those in H.R. 1169, and the estimated costs are the same.

Estimate prepared by: Federal costs: Jeff LaFave; Impact on state, local, and tribal governments: Melissa Merrell; Impact on the private sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representa-

tives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information provided by the affected agencies and assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost less than $500,000 subject to appropriation. In addition, CBO estimates that enacting H.R. 5205 would increase offsetting receipts, which are treated as reductions in direct spending, by $2 million in 2015.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to authorize certain land conveyances involving public lands in northern Nevada to promote economic development and conservation.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

○