

1 same manner as any claim arising out of an obligation
2 to pay withdrawal liability under subtitle E of title IV of
3 such Act, to any claim—

4 “(1) arising out of an obligation to pay any
5 amount required to be paid by this chapter; or

6 “(2) arising out of an obligation to pay any
7 amount required by section 402(h)(5)(B)(ii) of the
8 Surface Mining Control and Reclamation Act of
9 1977 (30 U.S.C. 1232(h)(5)(B)(ii)).”.

10 **TITLE III—WHITE PINE COUNTY**
11 **CONSERVATION, RECRE-**
12 **ATION, AND DEVELOPMENT**

13 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated such sums
15 as are necessary to carry out this title.

16 **SEC. 302. SHORT TITLE.**

17 This title may be cited as the “White Pine County
18 Conservation, Recreation, and Development Act of 2006”.

19 **SEC. 303. DEFINITIONS.**

20 In this title:

21 (1) COUNTY.—The term “County” means
22 White Pine County, Nevada.

23 (2) SECRETARY.—The term “Secretary”
24 means—

1 (A) with respect to land in the National
2 Forest System, the Secretary of Agriculture;
3 and

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

6 (3) STATE.—The term “State” means the State
7 of Nevada.

8 **Subtitle A—Land Disposal**

9 **SEC. 311. CONVEYANCE OF WHITE PINE COUNTY, NEVADA,** 10 **LAND.**

11 (a) IN GENERAL.—Notwithstanding sections 202 and
12 203 of the Federal Land Policy and Management Act of
13 1976 (43 U.S.C. 1712, 1713), the Secretary, in coopera-
14 tion with the County, in accordance with that Act, this
15 subtitle, and other applicable law and subject to valid ex-
16 isting rights, shall, at such time as the parcels of Federal
17 land become available for disposal, conduct sales of the
18 parcels of Federal land described in subsection (b) to
19 qualified bidders.

20 (b) DESCRIPTION OF LAND.—The parcels of Federal
21 land referred to in subsection (a) consist of not more than
22 45,000 acres of Bureau of Land Management land in the
23 County that—

1 (1) is not segregated or withdrawn on or after
2 the date of enactment of this Act, unless the land
3 is withdrawn in accordance with subsection (h); and

4 (2) is identified for disposal by the Bureau of
5 Land Management through—

6 (A) the Ely Resource Management Plan;

7 or

8 (B) a subsequent amendment to the man-
9 agement plan that is undertaken with full pub-
10 lic involvement.

11 (c) AVAILABILITY.—The map and any legal descrip-
12 tions of the Federal land conveyed under this section shall
13 be on file and available for public inspection in—

14 (1) the Office of the Director of the Bureau of
15 Land Management;

16 (2) the Office of the Nevada State Director of
17 the Bureau of Land Management; and

18 (3) the Ely Field Office of the Bureau of Land
19 Management.

20 (d) JOINT SELECTION REQUIRED.—The Secretary
21 and the County shall jointly select which parcels of Fed-
22 eral land described in subsection (b) to offer for sale under
23 subsection (a).

24 (e) COMPLIANCE WITH LOCAL PLANNING AND ZON-
25 ING LAWS.—Before a sale of Federal land under sub-

1 section (a), the County shall submit to the Secretary a
2 certification that qualified bidders have agreed to comply
3 with—

- 4 (1) County and city zoning ordinances; and
- 5 (2) any master plan for the area approved by
6 the County.

7 (f) METHOD OF SALE; CONSIDERATION.—The sale of
8 Federal land under subsection (a) shall be—

- 9 (1) consistent with subsections (d) and (f) of
10 section 203 of the Federal Land Management Policy
11 Act of 1976 (43 U.S.C. 1713);

- 12 (2) unless otherwise determined by the Sec-
13 retary, through a competitive bidding process; and

- 14 (3) for not less than fair market value.

15 (g) RECREATION AND PUBLIC PURPOSES ACT CON-
16 VEYANCES.—

- 17 (1) IN GENERAL.—Not later than 30 days be-
18 fore land is offered for sale under subsection (a), the
19 State or County may elect to obtain any of the land
20 for local public purposes in accordance with the Act
21 of June 14, 1926 (commonly known as the “Recre-
22 ation and Public Purposes Act”) (43 U.S.C. 869 et
23 seq.).

- 24 (2) RETENTION.—Pursuant to an election made
25 under paragraph (1), the Secretary shall retain the

1 elected land for conveyance to the State or County
2 in accordance with the Act of June 14, 1926 (com-
3 monly known as the “Recreation and Public Pur-
4 poses Act”) (43 U.S.C. 869 et seq.).

5 (h) WITHDRAWAL.—

6 (1) IN GENERAL.—Subject to valid existing
7 rights and except as provided in paragraph (2), the
8 Federal land described in subsection (b) is with-
9 drawn from—

10 (A) all forms of entry and appropriation
11 under the public land laws and mining laws;

12 (B) location and patent under the mining
13 laws; and

14 (C) operation of the mineral laws, geo-
15 thermal leasing laws, and mineral material
16 laws.

17 (2) EXCEPTION.—Paragraph (1)(A) shall not
18 apply to sales made consistent with this section or
19 an election by the County or the State to obtain the
20 land described in subsection (b) for public purposes
21 under the Act of June 14, 1926 (commonly known
22 as the “Recreation and Public Purposes Act”)(43
23 U.S.C. 869 et seq.).

24 (i) DEADLINE FOR SALE.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), not later than 1 year after the date of the
3 signing of the record of decision authorizing the im-
4 plementation of the Ely Resource Management Plan
5 and annually thereafter until the Federal land de-
6 scribed in subsection (b) is disposed of or the Coun-
7 ty requests a postponement under paragraph (2),
8 the Secretary shall offer for sale the Federal land
9 described in subsection (b).

10 (2) POSTPONEMENT; EXCLUSION FROM SALE.—

11 (A) REQUEST BY COUNTY FOR POSTPONE-
12 MENT OR EXCLUSION.—At the request of the
13 County, the Secretary shall postpone or exclude
14 from the sale all or a portion of the land de-
15 scribed in subsection (b).

16 (B) INDEFINITE POSTPONEMENT.—Unless
17 specifically requested by the County, a post-
18 ponement under subparagraph (A) shall not be
19 indefinite.

20 **SEC. 312. DISPOSITION OF PROCEEDS.**

21 Of the proceeds from the sale of Federal land de-
22 scribed in section __11(b)—

23 (1) 5 percent shall be paid directly to the State
24 for use in the general education program of the
25 State;

1 (2) 10 percent shall be paid to the County for
2 use for fire protection, law enforcement, education,
3 public safety, housing, social services, transpor-
4 tation, and planning; and

5 (3) the remainder shall be deposited in a special
6 account in the Treasury of the United States, to be
7 known as the “White Pine County Special Account”
8 (referred to in this subtitle as the “special ac-
9 count”), and shall be available without further ap-
10 propriation to the Secretary until expended for—

11 (A) the reimbursement of costs incurred by
12 the Nevada State office and the Ely Field Of-
13 fice of the Bureau of Land Management for
14 preparing for the sale of Federal land described
15 in section __11(b), including the costs of sur-
16 veys and appraisals and compliance with the
17 National Environmental Policy Act of 1969 (42
18 U.S.C. 4321) and sections 202 and 203 of the
19 Federal Land Policy and Management Act of
20 1976 (43 U.S.C. 1712, 1713);

21 (B) the inventory, evaluation, protection,
22 and management of unique archaeological re-
23 sources (as defined in section 3 of the Archae-
24 ological Resources Protection Act of 1979 (16
25 U.S.C. 470bb)) of the County;

1 (C) the reimbursement of costs incurred by
2 the Department of the Interior for preparing
3 and carrying out the transfers of land to be
4 held in trust by the United States under section
5 __61;

6 (D) conducting a study of routes for the
7 Silver State Off-Highway Vehicle Trail as re-
8 quired by section __55(a);

9 (E) developing and implementing the Sil-
10 ver State Off-Highway Vehicle Trail manage-
11 ment plan described in section __55(c);

12 (F) wilderness protection and processing
13 wilderness designations, including the costs of
14 appropriate fencing, signage, public education,
15 and enforcement for the wilderness areas des-
16 ignated;

17 (G) if the Secretary determines necessary,
18 developing and implementing conservation plans
19 for endangered or at risk species in the County;
20 and

21 (H) carrying out a study to assess non-mo-
22 torized recreation opportunities on Federal land
23 in the County.

1 **Subtitle B—Wilderness Areas**

2 **SEC. 321. SHORT TITLE.**

3 This subtitle may be cited as the “Pam White Wilder-
4 ness Act of 2006”.

5 **SEC. 322. FINDINGS.**

6 Congress finds that—

7 (1) public land in the County contains unique
8 and spectacular natural resources, including—

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

11 (B) thousands of acres of land that remain
12 in a natural state; and

13 (2) continued preservation of those areas would
14 benefit the County and all of the United States by—

15 (A) ensuring the conservation of eco-
16 logically diverse habitat;

17 (B) protecting prehistoric cultural re-
18 sources;

19 (C) conserving primitive recreational re-
20 sources; and

21 (D) protecting air and water quality.

1 **SEC. 323. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
2 **VATION SYSTEM.**

3 (a) ADDITIONS.—The following land in the State is
4 designated as wilderness and as components of the Na-
5 tional Wilderness Preservation System:

6 (1) MT. MORIAH WILDERNESS ADDITION.—Cer-
7 tain Federal land managed by the Forest Service
8 and the Bureau of Land Management, comprising
9 approximately 11,261 acres, as generally depicted on
10 the map entitled “Eastern White Pine County” and
11 dated November 29, 2006, is incorporated in, and
12 shall be managed as part of, the Mt. Moriah Wilder-
13 ness, as designated by section 2(13) of the Nevada
14 Wilderness Protection Act of 1989 (16 U.S.C. 1132
15 note; Public Law 101–195).

16 (2) MOUNT GRAFTON WILDERNESS.—Certain
17 Federal land managed by the Bureau of Land Man-
18 agement, comprising approximately 78,754 acres, as
19 generally depicted on the map entitled “Southern
20 White Pine County” and dated November 29, 2006,
21 which shall be known as the “Mount Grafton Wil-
22 derness”.

23 (3) SOUTH EGAN RANGE WILDERNESS.—Cer-
24 tain Federal land managed by the Bureau of Land
25 Management, comprising approximately 67,214
26 acres, as generally depicted on the map entitled

1 “Southern White Pine County” and dated November
2 29, 2006, which shall be known as the “South Egan
3 Range Wilderness”.

4 (4) HIGHLAND RIDGE WILDERNESS.—Certain
5 Federal land managed by the Bureau of Land Man-
6 agement and the Forest Service, comprising approxi-
7 mately 68,627 acres, as generally depicted on the
8 map entitled “Southern White Pine County” and
9 dated November 29, 2006, which shall be known as
10 the “Highland Ridge Wilderness”.

11 (5) GOVERNMENT PEAK WILDERNESS.—Certain
12 Federal land managed by the Bureau of Land Man-
13 agement, comprising approximately 6,313 acres, as
14 generally depicted on the map entitled “Eastern
15 White Pine County” and dated November 29, 2006,
16 which shall be known as the “Government Peak Wil-
17 derness”.

18 (6) CURRANT MOUNTAIN WILDERNESS ADDI-
19 TION.—Certain Federal land managed by the Forest
20 Service, comprising approximately 10,697 acres, as
21 generally depicted on the map entitled “Western
22 White Pine County” and dated November 29, 2006,
23 is incorporated in, and shall be managed as part of,
24 the “Currant Mountain Wilderness”, as designated
25 by section 2(4) of the Nevada Wilderness Protection

1 Act of 1989 (16 U.S.C. 1132 note; Public Law 101–
2 195).

3 (7) RED MOUNTAIN WILDERNESS.—Certain
4 Federal land managed by the Forest Service, com-
5 prising approximately 20,490 acres, as generally de-
6 picted on the map entitled “Western White Pine
7 County” and dated November 29, 2006, which shall
8 be known as the “Red Mountain Wilderness”.

9 (8) BALD MOUNTAIN WILDERNESS.—Certain
10 Federal land managed by the Bureau of Land Man-
11 agement and the Forest Service, comprising approxi-
12 mately 22,366 acres, as generally depicted on the
13 map entitled “Western White Pine County” and
14 dated November 29, 2006, which shall be known as
15 the “Bald Mountain Wilderness”.

16 (9) WHITE PINE RANGE WILDERNESS.—Certain
17 Federal land managed by the Forest Service, com-
18 prising approximately 40,013 acres, as generally de-
19 picted on the map entitled “Western White Pine
20 County” and dated November 29, 2006, which shall
21 be known as the “White Pine Range Wilderness”.

22 (10) SHELLBACK WILDERNESS.—Certain Fed-
23 eral land managed by the Forest Service, comprising
24 approximately 36,143 acres, as generally depicted on
25 the map entitled “Western White Pine County” and

1 dated November 29, 2006, which shall be known as
2 the “Shellback Wilderness”.

3 (11) HIGH SCHELLS WILDERNESS.—Certain
4 Federal land managed by the Forest Service, com-
5 prising approximately 121,497 acres, as generally
6 depicted on the map entitled “Eastern White Pine
7 County” and dated November 29, 2006, which shall
8 be known as the “High Schells Wilderness”.

9 (12) BECKY PEAK WILDERNESS.—Certain Fed-
10 eral land managed by the Bureau of Land Manage-
11 ment, comprising approximately 18,119 acres, as
12 generally depicted on the map entitled “Northern
13 White Pine County” and dated November 29, 2006,
14 which shall be known as the “Becky Peak Wilder-
15 ness”.

16 (13) GOSHUTE CANYON WILDERNESS.—Certain
17 Federal land managed by the Bureau of Land Man-
18 agement, comprising approximately 42,544 acres, as
19 generally depicted on the map entitled “Northern
20 White Pine County” and dated November 29, 2006,
21 which shall be known as the “Goshute Canyon Wil-
22 derness”.

23 (14) BRISTLECONE WILDERNESS.—Certain
24 Federal land managed by the Bureau of Land Man-
25 agement, comprising approximately 14,095 acres, as

1 generally depicted on the map entitled “Eastern
2 White Pine County” and dated November 29, 2006,
3 which shall be known as the “Bristlecone Wilder-
4 ness”.

5 (b) BOUNDARY.—The boundary of any portion of a
6 wilderness area designated by subsection (a) that is bor-
7 dered by a road shall be at least 100 feet from the edge
8 of the road to allow public access.

9 (c) MAP AND LEGAL DESCRIPTION.—

10 (1) IN GENERAL.—As soon as practicable after
11 the date of enactment of this Act, the Secretary
12 shall file a map and legal description of each wilder-
13 ness area designated by subsection (a) with the
14 Committee on Energy and Natural Resources of the
15 Senate and the Committee on Resources of the
16 House of Representatives.

17 (2) EFFECT.—Each map and legal description
18 shall have the same force and effect as if included
19 in this section, except that the Secretary may correct
20 clerical and typographical errors in the map or legal
21 description.

22 (3) AVAILABILITY.—Each map and legal de-
23 scription shall be on file and available for public in-
24 spection in the appropriate offices of—

25 (A) the Bureau of Land Management;

1 (B) the Forest Service; and

2 (C) the National Park Service.

3 (d) WITHDRAWAL.—Subject to valid existing rights,
4 the wilderness areas designated by subsection (a) are with-
5 drawn from—

6 (1) all forms of entry, appropriation, and dis-
7 posal under the public land laws;

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

10 (3) operation of the mineral leasing and geo-
11 thermal leasing laws.

12 (e) MT. MORIAH WILDERNESS BOUNDARY ADJUST-
13 MENT.—The boundary of the Mt. Moriah Wilderness es-
14 tablished under section 2(13) of the Nevada Wilderness
15 Protection Act of 1989 (16 U.S.C. 1132 note; Public Law
16 101–195) is adjusted to include only the land identified
17 as the “Mount Moriah Wilderness Area” and “Mount
18 Moriah Additions” on the map entitled “Eastern White
19 Pine County” and dated November 29, 2006.

20 **SEC. 324. ADMINISTRATION.**

21 (a) MANAGEMENT.—Subject to valid existing rights,
22 each area designated as wilderness by this subtitle shall
23 be administered by the Secretary in accordance with the
24 Wilderness Act (16 U.S.C. 1131 et seq.), except that—

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

4 (2) any reference in that Act to the Secretary
5 of Agriculture shall be considered to be a reference
6 to the Secretary of Agriculture or the Secretary of
7 the Interior, as appropriate.

8 (b) LIVESTOCK.—Within the wilderness areas des-
9 ignated under this subtitle that are administered by the
10 Bureau of Land Management and the Forest Service, the
11 grazing of livestock in areas in which grazing is estab-
12 lished as of the date of enactment of this Act shall be
13 allowed to continue—

14 (1) subject to such reasonable regulations, poli-
15 cies, and practices that the Secretary considers nec-
16 essary; and

17 (2) consistent with section 4(d)(4) of the Wil-
18 derness Act (16 U.S.C. 1133(d)(4)), including the
19 guidelines set forth in Appendix A of House Report
20 101–405.

21 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
22 ESTS.—Any land or interest in land within the boundaries
23 of an area designated as wilderness by this subtitle that
24 is acquired by the United States after the date of enact-
25 ment of this Act shall be added to and administered as

1 part of the wilderness area within which the acquired land
2 or interest is located.

3 (d) WATER RIGHTS.—

4 (1) FINDINGS.—Congress finds that—

5 (A) the land designated as wilderness by
6 this subtitle is located—

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

9 (ii) at the headwaters of the streams
10 and rivers on land with respect to which
11 there are few if any—

12 (I) actual or proposed water re-
13 source facilities located upstream; and

14 (II) opportunities for diversion,
15 storage, or other uses of water occur-
16 ring outside the land that would ad-
17 versely affect the wilderness values of
18 the land;

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

23 (C) because of the unique nature of the
24 land designated as wilderness by this subtitle, it
25 is possible to provide for proper management

1 and protection of the wilderness and other val-
2 ues of land in ways different from those used
3 in other laws.

4 (2) PURPOSE.—The purpose of this section is
5 to protect the wilderness values of the land des-
6 ignated as wilderness by this subtitle by means other
7 than a federally reserved water right.

8 (3) STATUTORY CONSTRUCTION.—Nothing in
9 this subtitle—

10 (A) shall constitute or be construed to con-
11 stitute either an express or implied reservation
12 by the United States of any water or water
13 rights with respect to a wilderness designated
14 by this subtitle;

15 (B) shall affect any water rights in the
16 State (including any water rights held by the
17 United States) in existence on the date of en-
18 actment of this Act;

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

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

1 (E) shall be construed as limiting, altering,
2 modifying, or amending any interstate compact
3 or equitable apportionment decree that appor-
4 tions water among and between the State and
5 other States.

6 (4) NEVADA WATER LAW.—The Secretary shall
7 follow the procedural and substantive requirements
8 of State law in order to obtain and hold any water
9 rights not in existence on the date of enactment of
10 this Act with respect to the wilderness areas des-
11 ignated by this subtitle.

12 (5) NEW PROJECTS.—

13 (A) DEFINITION OF WATER RESOURCE FA-
14 CILITY.—In this paragraph, the term “water re-
15 source facility”—

16 (i) means irrigation and pumping fa-
17 cilities, reservoirs, water conservation
18 works, aqueducts, canals, ditches, pipe-
19 lines, wells, hydropower projects, trans-
20 mission and other ancillary facilities, and
21 other water diversion, storage, and car-
22 riage structures; and

23 (ii) does not include wildlife guzzlers.

24 (B) RESTRICTION ON NEW WATER RE-
25 SOURCE FACILITIES.—Except as otherwise pro-

1 vided in this title, on or after the date of enact-
2 ment of this Act, neither the President nor any
3 other officer, employee, or agent of the United
4 States shall fund, assist, authorize, or issue a
5 license or permit for the development of any
6 new water resource facility within a wilderness
7 area that is wholly or partially within the Coun-
8 ty.

9 **SEC. 325. ADJACENT MANAGEMENT.**

10 (a) IN GENERAL.—Congress does not intend for the
11 designation of wilderness in the State by this subtitle to
12 lead to the creation of protective perimeters or buffer
13 zones around any such wilderness area.

14 (b) NONWILDERNESS ACTIVITIES.—The fact that
15 nonwilderness activities or uses can be seen or heard from
16 areas within a wilderness designated under this subtitle
17 shall not preclude the conduct of those activities or uses
18 outside the boundary of the wilderness area.

19 **SEC. 326. MILITARY OVERFLIGHTS.**

20 Nothing in this subtitle restricts or precludes—

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

25 (2) flight testing and evaluation; or

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

4 **SEC. 327. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
5 **USES.**

6 Nothing in this subtitle shall be construed to dimin-
7 ish—

8 (1) the rights of any Indian tribe; or

9 (2) tribal rights regarding access to Federal
10 land for tribal activities, including spiritual, cultural,
11 and traditional food-gathering activities.

12 **SEC. 328. RELEASE OF WILDERNESS STUDY AREAS.**

13 (a) FINDING.—Congress finds that, for the purposes
14 of section 603 of the Federal Land Policy and Manage-
15 ment Act of 1976 (43 U.S.C. 1782), the Bureau of Land
16 Management land has been adequately studied for wilder-
17 ness designation in any portion of the wilderness study
18 areas or instant study areas—

19 (1) not designated as wilderness by section
20 __23(a), excluding the portion of the Goshute Can-
21 yon Wilderness Study Area located outside of the
22 County; and

23 (2) depicted as released on the maps entitled—

24 (A) “Eastern White Pine County” and
25 dated November 29, 2006;

1 (B) “Northern White Pine County” and
2 dated November 29, 2006;

3 (C) “Southern White Pine County” and
4 dated November 29, 2006; and

5 (D) “Western White Pine County” and
6 dated November 29, 2006.

7 (b) RELEASE.—

8 (1) IN GENERAL.—Any public land described in
9 subsection (a) that is not designated as wilderness
10 by this subtitle—

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

14 (B) shall be managed in accordance with—

15 (i) land management plans adopted
16 under section 202 of that Act (43 U.S.C.
17 1712); and

18 (ii) cooperative conservation agree-
19 ments in existence on the date of enact-
20 ment of this Act; and

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

23 (2) EXCEPTION.—The requirements described
24 in paragraph (1) shall not apply to the portion of

1 the Goshute Canyon Wilderness Study Area located
2 outside of the County.

3 **SEC. 329. WILDLIFE MANAGEMENT.**

4 (a) IN GENERAL.—In accordance with section
5 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
6 nothing in this subtitle affects the jurisdiction of the State
7 with respect to fish and wildlife management, including
8 the regulation of hunting, fishing, and trapping, in the wil-
9 derness areas designated by this subtitle.

10 (b) MANAGEMENT ACTIVITIES.—In furtherance of
11 the purposes and principles of the Wilderness Act (16
12 U.S.C. 1131 et seq.), the Secretary may conduct such
13 management activities as are necessary to maintain or re-
14 store fish and wildlife populations and habitats in the wil-
15 derness areas designated by this subtitle if those activities
16 are conducted—

17 (1) consistent with relevant wilderness manage-
18 ment plans; and

19 (2) in accordance with—

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

22 (B) appropriate policies such as those set
23 forth in Appendix B of House Report 101–405,
24 including the occasional and temporary use of
25 motorized vehicles if the use, as determined by

1 the Secretary, would promote healthy, viable,
2 and more naturally distributed wildlife popu-
3 lations that would enhance wilderness values
4 and accomplish those tasks with the minimal
5 impact necessary to reasonably accomplish
6 those tasks.

7 (c) EXISTING ACTIVITIES.—Consistent with section
8 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and
9 in accordance with appropriate policies such as those set
10 forth in Appendix B of House Report 101–405, the State
11 may continue to use aircraft, including helicopters, to sur-
12 vey, capture, transplant, monitor, and provide water for
13 wildlife populations, including bighorn sheep, and feral
14 stock, feral horses, and feral burros.

15 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—
16 Subject to subsection (f), the Secretary shall authorize
17 structures and facilities, including existing structures and
18 facilities, for wildlife water development projects, including
19 guzzlers, in the wilderness areas designated by this sub-
20 title if—

21 (1) the structures and facilities will, as deter-
22 mined by the Secretary, enhance wilderness values
23 by promoting healthy, viable, and more naturally
24 distributed wildlife populations; and

1 (2) the visual impacts of the structures and fa-
2 cilities on the wilderness areas can reasonably be
3 minimized.

4 (e) HUNTING, FISHING, AND TRAPPING.—

5 (1) IN GENERAL.—The Secretary may des-
6 ignate by regulation areas in which, and establish
7 periods during which, for reasons of public safety,
8 administration, or compliance with applicable laws,
9 no hunting, fishing, or trapping will be permitted in
10 the wilderness areas designated by this subtitle.

11 (2) CONSULTATION.—Except in emergencies,
12 the Secretary shall consult with the appropriate
13 State agency before promulgating regulations under
14 paragraph (1).

15 (f) COOPERATIVE AGREEMENT.—

16 (1) IN GENERAL.—The State (including a des-
17 ignee of the State) may conduct wildlife manage-
18 ment activities in the wilderness areas designated by
19 this subtitle—

20 (A) in accordance with the terms and con-
21 ditions specified in the cooperative agreement
22 between the Secretary and the State, entitled
23 “Memorandum of Understanding between the
24 Bureau of Land Management and the Nevada
25 Department of Wildlife Supplement No. 9,” and

1 signed November and December 2003, includ-
2 ing any amendments to the cooperative agree-
3 ment agreed to by the Secretary and the State;
4 and

5 (B) subject to all applicable laws and regu-
6 lations.

7 (2) REFERENCES.—

8 (A) CLARK COUNTY.—For purposes of this
9 subsection, any references to Clark County in
10 the cooperative agreement described in para-
11 graph (1)(A) shall be considered to be ref-
12 erences to White Pine County, Nevada.

13 (B) BUREAU OF LAND MANAGEMENT.—
14 For purposes of this subsection, any references
15 to the Bureau of Land Management in the co-
16 operative agreement described in paragraph
17 (1)(A) shall also be considered to be references
18 to the Forest Service.

19 **SEC. 330. WILDFIRE, INSECT, AND DISEASE MANAGEMENT.**

20 Consistent with section 4(d)(1) of the Wilderness Act
21 (16 U.S.C. 1133(d)(1)), the Secretary may take such
22 measures as may be necessary in the control of fire, in-
23 sects, and diseases, including coordination with a State or
24 local agency, as the Secretary deems appropriate.

1 **SEC. 331. CLIMATOLOGICAL DATA COLLECTION.**

2 If the Secretary determines that hydrologic, meteorologic,
3 logic, or climatological collection devices are appropriate
4 to further the scientific, educational, and conservation
5 purposes of the wilderness areas designated by this subtitle,
6 nothing in this subtitle precludes the installation and
7 maintenance of the collection devices within the wilderness
8 areas.

9 **Subtitle C—Transfers of**
10 **Administrative Jurisdiction**

11 **SEC. 341. TRANSFER TO THE UNITED STATES FISH AND**
12 **WILDLIFE SERVICE.**

13 (a) **IN GENERAL.**—Administrative jurisdiction over
14 the land described in subsection (b) is transferred from
15 the Bureau of Land Management to the United States
16 Fish and Wildlife Service for inclusion in the Ruby Lake
17 National Wildlife Refuge.

18 (b) **DESCRIPTION OF LAND.**—The parcel of land referred
19 to in subsection (a) is approximately 645 acres of
20 land administered by the Bureau of Land Management
21 and identified on the map entitled “Ruby Lake Land
22 Transfer” and dated July 10, 2006, as “Lands to be
23 transferred to the Fish and Wildlife Service”.

1 **SEC. 342. TRANSFER TO THE BUREAU OF LAND MANAGE-**
2 **MENT.**

3 (a) IN GENERAL.—Subject to subsection (c), admin-
4 istrative jurisdiction over the parcels of land described in
5 subsection (b) is transferred from the Forest Service to
6 the Bureau of Land Management.

7 (b) DESCRIPTION OF LAND.—The parcels of land re-
8 ferred to in subsection (a) are—

9 (1) the land administered by the Forest Service
10 and identified on the map entitled “Southern White
11 Pine County” and dated November 29, 2006, as
12 “Withdrawal Area”;

13 (2) the land administered by the Forest Service
14 and identified on the map entitled “Southern White
15 Pine County” and dated November 29, 2006, as
16 “Highland Ridge Wilderness”; and

17 (3) all other Federal land administered by the
18 Forest Service that is located adjacent to the High-
19 land Ridge Wilderness.

20 (c) CONTINUATION OF COOPERATIVE AGREE-
21 MENTS.—Any existing Forest Service cooperative agree-
22 ment or permit in effect on the date of enactment of this
23 Act relating to a parcel of land to which administrative
24 jurisdiction is transferred by subsection (a) shall be con-
25 tinued by the Bureau of Land Management unless there

1 is reasonable cause to terminate the agreement or permit,
2 as determined by the Secretary.

3 (d) WITHDRAWAL.—Subject to valid existing rights,
4 all Federal land within the Withdrawal Area is withdrawn
5 from all forms of—

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

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

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

12 (e) MOTORIZED AND MECHANICAL VEHICLES.—Use
13 of motorized and mechanical vehicles in the withdrawal
14 area designated by this subtitle shall be permitted only
15 on roads and trails designated for their use, unless the
16 use of those vehicles is needed—

17 (1) for administrative purposes; or

18 (2) to respond to an emergency.

19 **SEC. 343. TRANSFER TO THE FOREST SERVICE.**

20 (a) IN GENERAL.—Subject to subsection (c), admin-
21 istrative jurisdiction over the parcels of land described in
22 subsection (b) is transferred from the Bureau of Land
23 Management to the Forest Service.

24 (b) DESCRIPTION OF LAND.—The parcels of land re-
25 ferred to in subsection (a) are the approximately 5,799

1 acres of land administered by the Bureau of Land Man-
2 agement and identified on the map entitled “Western
3 White Pine County”, dated November 29, 2006, as the
4 BLM Public Land Transfer to the US Forest Service.

5 (c) CONTINUATION OF COOPERATIVE AGREE-
6 MENTS.—Any existing Bureau of Land Management coop-
7 erative agreement or permit in effect on the date of enact-
8 ment of this Act relating to a parcel of land to which ad-
9 ministrative jurisdiction is transferred by subsection (a)
10 shall be continued by the Forest Service unless there is
11 reasonable cause to terminate the agreement or permit,
12 as determined by the Secretary.

13 **SEC. 344. AVAILABILITY OF MAP AND LEGAL DESCRIP-**
14 **TIONS.**

15 The maps of the land transferred by this subtitle
16 shall be on file and available for public inspection in the
17 appropriate offices of—

- 18 (1) the Bureau of Land Management;
- 19 (2) the Forest Service;
- 20 (3) the National Park Service; and
- 21 (4) the United States Fish and Wildlife Service.

22 **Subtitle D—Public Conveyances**

23 **SEC. 351. CONVEYANCE TO THE STATE OF NEVADA.**

24 (a) CONVEYANCE.—Notwithstanding section 202 of
25 the Federal Land Policy and Management Act of 1976

1 (43 U.S.C. 1712), the Secretary shall convey to the State,
2 subject to valid existing rights, for no consideration, all
3 right, title, and interest of the United States in and to
4 the parcels of land described in subsection (b) if the State
5 and the County enter into a written agreement supporting
6 the conveyance.

7 (b) DESCRIPTION OF LAND.—The parcels of land re-
8 ferred to in subsection (a) are—

9 (1) the approximately 6,281 acres of Bureau of
10 Land Management land identified as “Steptoe Val-
11 ley Wildlife Management Area Expansion Proposal”
12 on the map entitled “Ely, Nevada Area” and dated
13 November 29, 2006;

14 (2) the approximately 658 acres of Bureau of
15 Land Management land identified as “Ward Char-
16 coal Ovens Expansion” on the map entitled “Ely,
17 Nevada Area” and dated November 29, 2006; and

18 (3) the approximately 2,960 acres of Forest
19 Service identified as “Cave Lake State Park Expan-
20 sion” on the map entitled “Ely, Nevada Area” and
21 dated November 29, 2006.

22 (c) COSTS.—Any costs relating to a conveyance under
23 subsection (a), including costs for surveys and other ad-
24 ministrative costs, shall be paid by the State.

25 (d) USE OF LAND.—

1 (1) IN GENERAL.—Any parcel of land conveyed
2 to the State under subsection (a) shall be used only
3 for—

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

6 (B) a public park.

7 (2) FACILITIES.—Any facility on a parcel of
8 land conveyed under subsection (a) shall be con-
9 structed and managed in a manner consistent with
10 the uses described in paragraph (1).

11 (e) REVERSION.—If a parcel of land conveyed under
12 subsection (a) is used in a manner that is inconsistent
13 with the uses described in subsection (d), the parcel of
14 land shall, at the discretion of the Secretary, revert to the
15 United States.

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

17 (a) IN GENERAL.—Notwithstanding section 202 of
18 the Federal Land Policy and Management Act of 1976
19 (43 U.S.C. 1712), the Secretary shall convey to the Coun-
20 ty, without consideration, all right, title, and interest of
21 the United States in and to the parcels of land described
22 in subsection (b).

23 (b) DESCRIPTION OF LAND.—The parcels of land re-
24 ferred to in subsection (a) are—

1 (1) the approximately 1,551 acres of land iden-
2 tified on the map entitled “Ely, Nevada Area”,
3 dated November 29, 2006, as the Airport Expans-
4 sion; and

5 (2) the approximately 202 acres of land identi-
6 fied on the map entitled “Ely, Nevada Area”, dated
7 November 29, 2006, as the Industrial Park Expans-
8 sion.

9 (c) AUTHORIZED USES.—

10 (1) AIRPORT EXPANSION.—The parcel of land
11 described in subsection (b)(1) shall be used by the
12 County to expand the Ely Airport.

13 (2) INDUSTRIAL PARK EXPANSION.—The parcel
14 of land described in subsection (b)(2) shall be used
15 by the County to expand the White Pine County In-
16 dustrial Park.

17 (3) USE OF CERTAIN LAND FOR NONRESIDEN-
18 TIAL DEVELOPMENT.—

19 (A) IN GENERAL.—After conveyance to the
20 County of the land described in subsection (b),
21 the County may sell, lease, or otherwise convey
22 any portion of the land conveyed for purposes
23 of nonresidential development relating to the
24 authorized uses described in paragraphs (1)
25 and (2).

1 (B) METHOD OF SALE.—The sale, lease,
2 or conveyance of land under subparagraph (A)
3 shall be—

4 (i) through a competitive bidding
5 process; and

6 (ii) for not less than fair market
7 value.

8 (C) DISPOSITION OF PROCEEDS.—The
9 gross proceeds from the sale, lease, or convey-
10 ance of land under subparagraph (A) shall be
11 distributed in accordance with section __12.

12 (d) REVERSION.—If a parcel of land conveyed under
13 subsection (a) is used in a manner that is inconsistent
14 with the use described for the parcel in paragraph (1),
15 (2), or (3) of subsection (c), the parcel of land shall, at
16 the discretion of the Secretary, revert to the United
17 States.

18 **Subtitle E—Silver State Off-**
19 **Highway Vehicle Trail**

20 **SEC. 355. SILVER STATE OFF-HIGHWAY VEHICLE TRAIL.**

21 (a) STUDY.—

22 (1) IN GENERAL.—Not later than 3 years after
23 the date of enactment of this Act, the Secretary
24 shall complete a study of routes (with emphasis on
25 roads and trails in existence on the date of enact-

1 ment of this Act) in accordance with the National
2 Environmental Policy Act of 1969 (42 U.S.C. 4321
3 et seq.) for the Silver State Off-Highway Vehicle
4 Trail (referred to in this section as the “Trail”).

5 (2) PREFERRED ROUTE.—Based on the study
6 conducted under paragraph (1), the Secretary, in
7 consultation with the State, the County, and any in-
8 terested persons, shall identify the preferred route
9 for the Trail.

10 (b) DESIGNATION OF TRAIL.—

11 (1) IN GENERAL.—Subject to paragraph (2),
12 not later than 90 days after the date on which the
13 study is completed under subsection (a), the Sec-
14 retary shall designate the Trail.

15 (2) LIMITATIONS.—The Secretary shall des-
16 ignate the Trail only if the Secretary—

17 (A) determines that the route of the Trail
18 would not have significant negative impacts on
19 wildlife, natural or cultural resources, or tradi-
20 tional uses; and

21 (B) ensures that the Trail designation—

22 (i) is an effort to extend the Silver
23 State Off-Highway Vehicle Trail des-
24 ignated under section 401(b) of the Lin-
25 coln County Conservation, Recreation, and

1 Development Act of 2004 (16 U.S.C. 1244
2 note; Public Law 108–424); and

3 (ii) is limited to—

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

6 (II) 1 potential spur running
7 west.

8 (c) MANAGEMENT.—

9 (1) IN GENERAL.—The Secretary shall manage
10 the Trail in a manner that—

11 (A) is consistent with any motorized and
12 mechanized uses of the Trail that are author-
13 ized on the date of enactment of this Act under
14 applicable Federal and State laws (including
15 regulations);

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

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

20 (2) MANAGEMENT PLAN.—

21 (A) IN GENERAL.—Not later than 2 years
22 after the date of designation of the Trail, the
23 Secretary, in consultation with the State, the
24 County, and any other interested persons, shall
25 complete a management plan for the Trail.

1 (B) COMPONENTS.—The management plan
2 shall—

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

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

7 (iii) describe actions carried out to pe-
8 riodically evaluate and manage the appro-
9 priate levels of use and location of the
10 Trail to minimize environmental impacts
11 and prevent damage to cultural resources
12 from the use of the Trail.

13 (3) MONITORING AND EVALUATION.—

14 (A) ANNUAL ASSESSMENT.—The Secretary
15 shall annually assess—

16 (i) the effects of the use of off-high-
17 way vehicles on the Trail to minimize envi-
18 ronmental impacts and prevent damage to
19 cultural resources from the use of the
20 Trail; and

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

1 (B) CLOSURE.—The Secretary, in con-
2 sultation with the State and the County and
3 subject to subparagraph (C), may temporarily
4 close or permanently reroute a portion of the
5 Trail if the Secretary determines that—

6 (i) the Trail is having an adverse im-
7 pact on—

8 (I) wildlife habitats;

9 (II) natural resources;

10 (III) cultural resources; or

11 (IV) traditional uses;

12 (ii) the Trail threatens public safety;

13 (iii) closure of the Trail is necessary
14 to repair damage to the Trail; or

15 (iv) closure of the Trail is necessary
16 to repair resource damage.

17 (C) REROUTING.—Any portion of the Trail
18 that is temporarily closed may be permanently
19 rerouted along existing roads and trails on pub-
20 lic land open to motorized use if the Secretary
21 determines that rerouting the portion of the
22 Trail would not significantly increase or de-
23 crease the length of the Trail.

24 (D) NOTICE.—The Secretary shall provide
25 information to the public with respect to any

1 routes on the Trail that are closed under sub-
2 paragraph (B), including through the provision
3 of appropriate signage along the Trail.

4 (4) NOTICE OF OPEN ROUTES.—The Secretary
5 shall ensure that visitors to the Trail have access to
6 adequate notice relating to the routes on the Trail
7 that are open through—

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

10 (B) the distribution of maps, safety edu-
11 cation materials, and any other information
12 that the Secretary determines to be appro-
13 priate.

14 (d) NO EFFECT ON NON-FEDERAL LAND AND IN-
15 TERESTS IN LAND.—Nothing in this section affects the
16 ownership or management of, or other rights relating to,
17 non-Federal land or interests in non-Federal land.

18 **Subtitle F—Transfer of Land to Be**
19 **Held in Trust for the Ely Sho-**
20 **shone Tribe.**

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

23 (a) IN GENERAL.—Subject to valid existing rights,
24 all right, title, and interest of the United States in and
25 to the land described in subsection (b)—

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

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

5 (b) DESCRIPTION OF LAND.—The land referred to in
6 subsection (a) consists of parcels 1, 2, 3, and 4, totaling
7 the approximately 3,526 acres of land that are identified
8 on—

9 (1) the Ely, Nevada Area map dated November
10 29, 2006; and

11 (2) the Eastern White Pine County map dated
12 November 29, 2006, as the “Ely Shoshone Expan-
13 sion”.

14 (c) SURVEY.—Not later than 180 days after the date
15 of enactment of this Act, the Bureau of Land Manage-
16 ment shall complete a survey of the boundary lines to es-
17 tablish the boundaries of the trust land.

18 (d) CONDITIONS.—

19 (1) GAMING.—Land taken into trust under sub-
20 section (a) shall not be—

21 (A) considered to have been taken into
22 trust for gaming (as that term is used in the
23 Indian Gaming Regulatory Act (25 U.S.C.
24 2701 et seq.)); and

25 (B) used for gaming.

1 (2) TRUST LAND FOR CEREMONIAL USE.—With
2 respect to the use of the land identified on the map
3 as “Ely Shoshone Expansion” and marked as “3”,
4 the Tribe—

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

9 (B) shall not permit any permanent resi-
10 dential or recreational development on, or com-
11 mercial use of, the surface of the land, includ-
12 ing commercial development or gaming.

13 (3) THINNING; LANDSCAPE RESTORATION.—
14 With respect to land taken into trust under sub-
15 section (a), the Forest Service and the Bureau of
16 Land Management may, in consultation and coordi-
17 nation with the Tribe, carry out any thinning and
18 other landscape restoration work on the trust land
19 that is beneficial to the Tribe and the Forest Service
20 or the Bureau of Land Management.

21 **Subtitle G—Eastern Nevada**
22 **Landscape Restoration Project.**

23 **SEC. 371. FINDINGS; PURPOSES.**

24 (a) FINDINGS.—Congress finds that—

- 1 (1) there is an increasing threat of wildfire in
2 the Great Basin;
- 3 (2) those wildfires—
- 4 (A) endanger homes and communities;
- 5 (B) damage or destroy watersheds and
6 soils; and
- 7 (C) pose a serious threat to the habitat of
8 threatened and endangered species;
- 9 (3) forest land and rangeland in the Great
10 Basin are degraded as a direct consequence of land
11 management practices (including practices to control
12 and prevent wildfires) that disrupt the occurrence of
13 frequent low-intensity fires that have periodically re-
14 moved flammable undergrowth; and
- 15 (4) additional scientific information is needed in
16 the Great Basin for—
- 17 (A) the design, implementation, and adap-
18 tation of landscape-scale restoration treatments;
19 and
- 20 (B) the improvement of wildfire manage-
21 ment technology and practices.
- 22 (b) PURPOSES.—The purposes of this subtitle are
23 to—

1 (1) support the Great Basin Restoration Initia-
2 tive through the implementation of the Eastern Ne-
3 vada Landscape Restoration Project; and

4 (2) ensure resilient and healthy ecosystems in
5 the Great Basin by restoring native plant commu-
6 nities and natural mosaics on the landscape that
7 function within the parameters of natural fire re-
8 gimes.

9 **SEC. 372. DEFINITIONS.**

10 In this subtitle:

11 (1) INITIATIVE.—The term “Initiative” means
12 the Great Basin Restoration Initiative.

13 (2) PROJECT.—The term “Project” means the
14 Eastern Nevada Landscape Restoration Project au-
15 thorized under section __73(a).

16 (3) SECRETARIES.—The term “Secretaries”
17 means the Secretary of Agriculture and the Sec-
18 retary of the Interior.

19 (4) STATE.—The term “State” means the State
20 of Nevada.

21 **SEC. 373. RESTORATION PROJECT.**

22 (a) IN GENERAL.—In accordance with all applicable
23 Federal laws, the Secretaries shall carry out the Eastern
24 Nevada Landscape Restoration Project to—

25 (1) implement the Initiative; and

1 (2) restore native rangelands and native wood-
2 land (including riparian and aspen communities) in
3 White Pine and Lincoln Counties in the State.

4 (b) GRANTS; COOPERATIVE AGREEMENT.—In car-
5 rying out the Project—

6 (1) the Secretaries may make grants to the
7 Eastern Nevada Landscape Coalition, the Great
8 Basin Institute, and other entities for the study and
9 restoration of rangeland and other land in the Great
10 Basin—

11 (A) to assist in—

12 (i) reducing hazardous fuels; and

13 (ii) restoring native rangeland and
14 woodland; and

15 (B) for other related purposes; and

16 (2) notwithstanding sections 6301 through
17 6308, of title 31, United States Code, the Director
18 of the Bureau of Land Management and the Chief
19 of the Forest Service may enter into an agreement
20 with the Eastern Nevada Landscape Coalition, the
21 Great Basin Institute, and other entities to provide
22 for the conduct of scientific analyses, hazardous
23 fuels and mechanical treatments, and related work.

24 (c) RESEARCH FACILITY.—The Secretaries may con-
25 duct a feasibility study on the potential establishment of

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

4 (d) FUNDING.—Section 4(e)(3)(A) of the Southern
5 Nevada Public Land Management Act of 1998 (Public
6 Law 105–263; 112 Stat. 2346; 116 Stat. 2007; 118 Stat.
7 2414) is amended—

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

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

11 “(viii) to carry out the Eastern Ne-
12 vada Landscape Restoration Project in
13 White Pine County, Nevada and Lincoln
14 County, Nevada; and”.

15 **Subtitle H—Amendments to the**
16 **Southern Nevada Public Land**
17 **Management Act of 1998**

18 **SEC. 381. FINDINGS.**

19 Section 2(a)(3) of the Southern Nevada Public Land
20 Management Act of 1998 (Public Law 105–263; 112 Stat.
21 2343) is amended by inserting “the Sloan Canyon Na-
22 tional Conservation Area,” before “and the Spring Moun-
23 tains”.

1 **SEC. 382. AVAILABILITY OF SPECIAL ACCOUNT.**

2 Section 4(e) of the Southern Nevada Public Land
3 Management Act of 1998 (Public Law 105–263; 112 Stat.
4 2346; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414)
5 is amended—

6 (1) in paragraph (3)—

7 (A) in subparagraph (A)—

8 (i) by striking “may be expended”
9 and inserting “shall be expended”;

10 (ii) in clause (ii)—

11 (I) by inserting “, the Great
12 Basin National Park,” after “the Red
13 Rock Canyon National Conservation
14 Area”;

15 (II) by inserting “and the Forest
16 Service” after “the Bureau of Land
17 Management”; and

18 (III) by striking “Clark and Lin-
19 coln Counties” and inserting “Clark,
20 Lincoln, and White Pine Counties”;

21 (iii) in clause (iii), by inserting “and
22 implementation” before “of a multispecies
23 habitat”;

24 (iv) in clause (iv), by striking “Clark
25 and Lincoln Counties,” and inserting
26 “Clark, Lincoln, and White Pine Counties

1 and Washoe County (subject to paragraph
2 (4)),”;

3 (v) in clause (v), by striking “Clark
4 and Lincoln Counties” and inserting
5 “Clark, Lincoln, and White Pine Coun-
6 ties”;

7 (vi) in clause (vii)—

8 (I) by striking “for development”
9 and inserting “development”; and

10 (II) by striking “and” at the end;

11 (vii) by redesignating clauses (viii)
12 and (ix) (as amended by section __73(d))
13 as clauses (x) and (xi), respectively; and

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

16 “(viii) reimbursement of any costs in-
17 curred by the Bureau of Land Manage-
18 ment to clear debris from and protect land
19 that is—

20 “(I) located in the disposal
21 boundary described in subsection (a);
22 and

23 “(II) reserved for affordable
24 housing;

1 “(ix) development and implementation
2 of comprehensive, cost-effective, multijuris-
3 dictional hazardous fuels reduction and
4 wildfire prevention plans (including sus-
5 tainable biomass and biofuels energy devel-
6 opment and production activities) for the
7 Lake Tahoe Basin (to be developed in con-
8 junction with the Tahoe Regional Planning
9 Agency), the Carson Range in Douglas and
10 Washoe Counties and Carson City in the
11 State, and the Spring Mountains in the
12 State, that are—

13 “(I) subject to approval by the
14 Secretary; and

15 “(II) not more than 10 years in
16 duration;” and

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

19 “(D) **TRANSFER REQUIREMENT.**—Subject
20 to such terms and conditions as the Secretary
21 may prescribe, and notwithstanding any other
22 provision of law—

23 “(i) for amounts that have been au-
24 thorized for expenditure under subpara-
25 graph (A)(iv) but not transferred as of the

1 date of enactment of this subparagraph,
2 the Secretary shall, not later than 60 days
3 after a request for funds from the applica-
4 ble unit of local government or regional
5 governmental entity, transfer to the appli-
6 cable unit of local government or regional
7 governmental entity the amount authorized
8 for the expenditure; and

9 “(ii) for expenditures authorized
10 under subparagraph (A)(iv) that are ap-
11 proved by the Secretary, the Secretary
12 shall, not later than 60 days after a re-
13 quest for funds from the applicable unit of
14 local government or regional governmental
15 entity, transfer to the applicable unit of
16 local government or regional governmental
17 entity the amount approved for expendi-
18 ture.”; and

19 (2) by adding at the end the following:

20 “(4) LIMITATION FOR WASHOE COUNTY.—Until
21 December 31, 2011, Washoe County shall be eligible
22 to nominate for expenditure amounts to acquire land
23 (not to exceed 250 acres) and develop 1 regional
24 park and natural area.”.

1 **Subtitle I—Amendments to the Lin-**
2 **coln County Conservation,**
3 **Recreation, and Development**
4 **Act of 2004**

5 **SEC. 391. DISPOSITION OF PROCEEDS.**

6 Section 103(b)(2) of the Lincoln County Conserva-
7 tion, Recreation, and Development Act of 2004 (Public
8 Law 108–424; 118 Stat. 2405) is amended by inserting
9 “education, planning,” after “social services,”.

10 **Subtitle J—All American Canal**
11 **Projects**

12 **SEC. 395. ALL AMERICAN CANAL LINING PROJECT.**

13 (a) DUTIES OF THE SECRETARY.—Notwithstanding
14 any other provision of law, upon the date of enactment
15 of this Act, the Secretary shall, without delay, carry out
16 the All American Canal Lining Project identified—

17 (1) as the preferred alternative in the record of
18 decision for that project, dated July 29, 1994; and

19 (2) in the allocation agreement allocating water
20 from the All American Canal Lining Project, entered
21 into as of October 10, 2003.

22 (b) DUTIES OF COMMISSIONER OF RECLAMATION.—

23 (1) IN GENERAL.—Subject to paragraph (2), if
24 a State conducts a review or study of the implica-
25 tions of the All American Canal Lining Project as