

115TH CONGRESS
2D SESSION

H. R. 857

AN ACT

To provide for conservation and enhanced recreation activities in the California Desert Conservation Area, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “California Off-Road Recreation and Conservation Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. California Off-Road Recreation and Conservation.
- Sec. 3. Visitor center.
- Sec. 4. California State school land.
- Sec. 5. Designation of wild and scenic rivers.
- Sec. 6. Conforming amendments.

6 **SEC. 2. CALIFORNIA OFF-ROAD RECREATION AND CON-**
7 **SERVATION.**

8 Public Law 103–433 (16 U.S.C. 410aaa et seq.) is
9 amended by adding at the end the following:

10 **“TITLE XIII—WILDERNESS**

11 **“SEC. 1301. DESIGNATION OF WILDERNESS AREAS.**

12 “(a) DESIGNATION OF WILDERNESS AREAS TO BE
13 ADMINISTERED BY THE BUREAU OF LAND MANAGE-
14 MENT.—In accordance with the Wilderness Act (16 U.S.C.
15 1131 et seq.) and sections 601 and 603 of the Federal
16 Land Policy and Management Act of 1976 (43 U.S.C.
17 1781, 1782), the following land in the State is designated
18 as wilderness areas and as components of the National
19 Wilderness Preservation System:

20 “(1) AVAWATZ MOUNTAINS WILDERNESS.—Cer-
21 tain land in the Conservation Area administered by
22 the Director of the Bureau of Land Management,

1 comprising approximately 91,800 acres, as generally
2 depicted on the map entitled ‘Avawatz Mountains
3 Proposed Wilderness’ and dated June 30, 2015, to
4 be known as the ‘Avawatz Mountains Wilderness’.

5 “(2) GOLDEN VALLEY WILDERNESS.—Certain
6 land in the Conservation Area administered by the
7 Director of the Bureau of Land Management, com-
8 prising approximately 1,250 acres, as generally de-
9 picted on the map entitled ‘Golden Valley Proposed
10 Wilderness Additions’ and dated June 22, 2015,
11 which shall be considered to be part of the ‘Golden
12 Valley Wilderness’.

13 “(3) GREAT FALLS BASIN WILDERNESS.—

14 “(A) IN GENERAL.—Certain land in the
15 Conservation Area administered by the Director
16 of the Bureau of Land Management, com-
17 prising approximately 7,870 acres, as generally
18 depicted on the map entitled ‘Great Falls Basin
19 Proposed Wilderness’ and dated April 29, 2015,
20 to be known as the ‘Great Falls Basin Wilder-
21 ness’.

22 “(B) LIMITATIONS.—Designation of the
23 wilderness under subparagraph (A) shall not es-
24 tablish a Class I Airshed under the Clean Air
25 Act (42 U.S.C. 7401 et seq.).

1 “(4) KINGSTON RANGE WILDERNESS.—Certain
2 land in the Conservation Area administered by the
3 Bureau of Land Management, comprising approxi-
4 mately 53,320 acres, as generally depicted on the
5 map entitled ‘Kingston Range Proposed Wilderness
6 Additions’ and dated February 18, 2015, which shall
7 be considered to be a part of as the ‘Kingston Range
8 Wilderness’.

9 “(5) SODA MOUNTAINS WILDERNESS.—Certain
10 land in the Conservation Area, administered by the
11 Bureau of Land Management, comprising approxi-
12 mately 79,990 acres, as generally depicted on the
13 map entitled ‘Soda Mountains Proposed Wilderness’
14 and dated February 18, 2015, to be known as the
15 ‘Soda Mountains Wilderness’.

16 “(b) DESIGNATION OF WILDERNESS AREAS TO BE
17 ADMINISTERED BY THE NATIONAL PARK SERVICE.—In
18 accordance with the Wilderness Act (16 U.S.C. 1131 et
19 seq.) and sections 601 and 603 of the Federal Land Policy
20 and Management Act of 1976 (43 U.S.C. 1781, 1782),
21 the following land in the State is designated as wilderness
22 areas and as components of the National Wilderness Pres-
23 ervation System:

24 “(1) DEATH VALLEY NATIONAL PARK WILDER-
25 NESS ADDITIONS-NORTH EUREKA VALLEY.—Certain

1 land in the Conservation Area administered by the
2 Director of the National Park Service, comprising
3 approximately 11,496 acres, as generally depicted on
4 the map entitled ‘Death Valley National Park Pro-
5 posed Wilderness Area-North Eureka Valley’, num-
6 bered 143/100,082C, and dated October 7, 2014,
7 which shall be considered to be a part of the Death
8 Valley National Park Wilderness.

9 “(2) DEATH VALLEY NATIONAL PARK WILDER-
10 NESS ADDITIONS-IBEX.—Certain land in the Con-
11 servation Area administered by the Director of the
12 National Park Service, comprising approximately
13 23,650 acres, as generally depicted on the map enti-
14 tled ‘Death Valley National Park Proposed Wilder-
15 ness Area-Ibex’, numbered 143/100,081C, and dated
16 October 7, 2014, which shall be considered to be a
17 part of the Death Valley National Park Wilderness.

18 “(3) DEATH VALLEY NATIONAL PARK WILDER-
19 NESS ADDITIONS-PANAMINT VALLEY.—Certain land
20 in the Conservation Area administered by the Direc-
21 tor of the National Park Service, comprising ap-
22 proximately 4,807 acres, as generally depicted on the
23 map entitled ‘Death Valley National Park Proposed
24 Wilderness Area-Panamint Valley’, numbered 143/
25 100,083C, and dated October 7, 2014, which shall

1 be considered to be a part of the Death Valley Na-
2 tional Park Wilderness.

3 “(4) DEATH VALLEY NATIONAL PARK WILDER-
4 NESS ADDITIONS-WARM SPRINGS.—Certain land in
5 the Conservation Area administered by the Director
6 of the National Park Service, comprising approxi-
7 mately 10,485 acres, as generally depicted on the
8 map entitled ‘Death Valley National Park Proposed
9 Wilderness Area-Warm Spring Canyon/Galena Can-
10 yon’, numbered 143/100,084C, and dated October 7,
11 2014, which shall be considered to be a part of the
12 Death Valley National Park Wilderness.

13 “(5) DEATH VALLEY NATIONAL PARK WILDER-
14 NESS ADDITIONS-AXE HEAD.—Certain land in the
15 Conservation Area administered by the Director of
16 the National Park Service, comprising approximately
17 8,638 acres, as generally depicted on the map enti-
18 tled ‘Death Valley National Park Proposed Wilder-
19 ness Area-Axe Head’, numbered 143/100,085C, and
20 dated October 7, 2014, which shall be considered to
21 be a part of the Death Valley National Park Wilder-
22 ness.

23 “(6) DEATH VALLEY NATIONAL PARK WILDER-
24 NESS ADDITIONS-BOWLING ALLEY.—Certain land in
25 the Conservation Area administered by the Director

1 of the Bureau of Land Management, comprising ap-
2 proximately 28,923 acres, as generally depicted on
3 the map entitled ‘Death Valley National Park Pro-
4 posed Wilderness Area-Bowling Alley’, numbered
5 143/128,606, and dated May 14, 2015, which shall
6 be considered to be a part of the Death Valley Na-
7 tional Park Wilderness.

8 “(c) DESIGNATION OF WILDERNESS AREA TO BE
9 ADMINISTERED BY THE FOREST SERVICE.—

10 “(1) IN GENERAL.—In accordance with the Wil-
11 derness Act (16 U.S.C. 1131 et seq.), the land in
12 the State described in paragraph (2) is designated
13 as a wilderness area and as a component of the Na-
14 tional Wilderness Preservation System.

15 “(2) DESCRIPTION OF LAND.—The land re-
16 ferred to in paragraph (1) is certain land in the San
17 Bernardino National Forest, comprising approxi-
18 mately 7,141 acres, as generally depicted on the
19 map entitled ‘San Gorgonio Proposed Wilderness
20 Expansion,’ and dated November 2, 2016, which
21 shall considered to be a part of the San Gorgonio
22 Wilderness.

23 “(3) FIRE MANAGEMENT AND RELATED ACTIVI-
24 TIES.—

1 “(A) IN GENERAL.—The Secretary may
2 carry out such activities in the wilderness area
3 designated by paragraph (1) as are necessary
4 for the control of fire, insects, and disease, in
5 accordance with section 4(d)(1) of the Wilder-
6 ness Act (16 U.S.C. 1133(d)(1)) and House
7 Report 98–40 of the 98th Congress.

8 “(B) FUNDING PRIORITIES.—Nothing in
9 this subsection limits the provision of any fund-
10 ing for fire or fuel management in the wilder-
11 ness area designated by paragraph (1).

12 “(C) REVISION AND DEVELOPMENT OF
13 LOCAL FIRE MANAGEMENT PLANS.—As soon as
14 practicable after the date of enactment of this
15 title, the Secretary shall amend the local fire
16 management plans that apply to the wilderness
17 area designated by paragraph (1).

18 “(D) ADMINISTRATION.—In accordance
19 with subparagraph (A) and other applicable
20 Federal law, to ensure a timely and efficient re-
21 sponse to fire emergencies in the wilderness
22 area designated by paragraph (1), the Secretary
23 shall—

24 “(i) not later than 1 year after the
25 date of enactment of this title, establish

1 agency approval procedures (including ap-
2 propriate delegations of authority to the
3 Forest Supervisor, District Manager, or
4 other agency officials) for responding to
5 fire emergencies in the wilderness area des-
6 ignated by paragraph (1); and

7 “(ii) enter into agreements with ap-
8 propriate State or local firefighting agen-
9 cies relating to that wilderness area.

10 **“SEC. 1302. MANAGEMENT.**

11 “(a) ADJACENT MANAGEMENT.—

12 “(1) IN GENERAL.—Nothing in this title creates
13 any protective perimeter or buffer zone around the
14 wilderness areas designated by section 1301.

15 “(2) ACTIVITIES OUTSIDE WILDERNESS
16 AREAS.—

17 “(A) IN GENERAL.—The fact that an ac-
18 tivity (including military activities) or use on
19 land outside a wilderness area designated by
20 section 1301 can be seen or heard within the
21 wilderness area shall not preclude or restrict
22 the activity or use outside the boundary of the
23 wilderness area.

24 “(B) EFFECT ON NONWILDERNESS ACTIVI-
25 TIES.—

1 “(i) IN GENERAL.—In any permitting
2 proceeding (including a review under the
3 National Environmental Policy Act of
4 1969 (42 U.S.C. 4321 et seq.)) conducted
5 with respect to a project described in
6 clause (ii) that is formally initiated
7 through a notice in the Federal Register
8 before December 31, 2013, the consider-
9 ation of any visual, noise, or other impacts
10 of the project on a wilderness area des-
11 ignated by section 1301 shall be conducted
12 based on the status of the area before des-
13 ignation as wilderness.

14 “(ii) DESCRIPTION OF PROJECTS.—A
15 project referred to in clause (i) is a renew-
16 able energy project or associated energy
17 transport facility project—

18 “(I) for which the Bureau of
19 Land Management has received a
20 right-of-way use application on or be-
21 fore the date of enactment of this
22 title; and

23 “(II) that is located outside the
24 boundary of a wilderness area des-
25 ignated by section 1301.

1 “(3) NO ADDITIONAL REGULATION.—Nothing
2 in this title requires additional regulation of activi-
3 ties on land outside the boundary of the wilderness
4 areas.

5 “(4) EFFECT ON MILITARY OPERATIONS.—
6 Nothing in this title alters any authority of the Sec-
7 retary of Defense to conduct any military operations
8 at desert installations, facilities, and ranges of the
9 State that are authorized under any other provision
10 of law.

11 “(5) EFFECT ON UTILITY FACILITIES AND
12 RIGHTS-OF-WAY.—

13 “(A) IN GENERAL.—Subject to paragraph
14 (2), nothing in this title terminates or precludes
15 the renewal or reauthorization of any valid ex-
16 isting right-of-way or customary operation,
17 maintenance, repair, upgrading, or replacement
18 activities in a right-of-way, issued, granted, or
19 permitted to the Southern California Edison
20 Company or predecessors, successors, or assigns
21 of the Southern California Edison Company
22 that is located on land included in the San
23 Gorgonio Wilderness Area or the Sand to Snow
24 National Monument.

1 “(B) LIMITATION.—The activities de-
2 scribed in subparagraph (A) shall be conducted
3 in accordance with the Wilderness Act (16
4 U.S.C. 1131 et seq.) for the San Gorgonio Wil-
5 derness Area and in a manner compatible with
6 the protection of objects and values for which
7 the Sand to Snow National Monument was des-
8 ignated.

9 “(C) APPLICABLE LAW.—In accordance
10 with the National Environmental Policy Act of
11 1969 (42 U.S.C. 4321 et seq.), any approval re-
12 quired for an increase in the voltage of the
13 Coachella distribution circuit shall require con-
14 sideration of alternative alignments, including
15 alignments adjacent to State Route 62.

16 “(b) MAPS; LEGAL DESCRIPTIONS.—

17 “(1) IN GENERAL.—As soon as practicable
18 after the date of enactment of this title, the Sec-
19 retary shall file a map and legal description of each
20 wilderness area and wilderness addition designated
21 by section 1301 with—

22 “(A) the Committee on Natural Resources
23 of the House of Representatives; and

24 “(B) the Committee on Energy and Nat-
25 ural Resources of the Senate.

1 “(2) FORCE OF LAW.—A map and legal de-
2 scription filed under paragraph (1) shall have the
3 same force and effect as if included in this title, ex-
4 cept that the Secretary may correct errors in the
5 maps and legal descriptions.

6 “(3) PUBLIC AVAILABILITY.—Each map and
7 legal description filed under paragraph (1) shall be
8 filed and made available for public inspection in the
9 appropriate office of the Secretary.

10 “(c) ADMINISTRATION.—Subject to valid existing
11 rights, the land designated as wilderness or as a wilder-
12 ness addition by section 1301 shall be administered by the
13 Secretary in accordance with this Act and the Wilderness
14 Act (16 U.S.C. 1131 et seq.), except that any reference
15 in that Act to the Secretary of Agriculture shall also be
16 considered to be a reference to the Secretary of the Inte-
17 rior, and any reference to the effective date shall be con-
18 sidered to be a reference to the date of enactment of this
19 title.

20 **“SEC. 1303. RELEASE OF WILDERNESS STUDY AREAS.**

21 “(a) FINDING.—Congress finds that, for purposes of
22 section 603 of the Federal Land Policy and Management
23 Act of 1976 (43 U.S.C. 1782), any portion of a wilderness
24 study area described in subsection (b) that is not des-
25 ignated as a wilderness area or wilderness addition by sec-

tion 1301 or any other Act enacted before the date of enactment of this title has been adequately studied for wilderness.

“(b) DESCRIPTION OF STUDY AREAS.—The study areas referred to in subsection (a) are—

“(1) the Cady Mountains Wilderness Study Area;

“(2) the Kingston Range Wilderness Study Area;

“(3) the Avawatz Mountain Wilderness Study Area;

“(4) the Death Valley National Park Boundary and Wilderness Study Area;

“(5) the Great Falls Basin Wilderness Study Area; and

“(6) the Soda Mountains Wilderness Study Area.

“(c) RELEASE.—Any portion of a wilderness study area described in subsection (b) that is not designated as a wilderness area or wilderness addition by section 1301 is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

“SEC. 1304. TREATMENT OF CHERRY-STEMMED ROADS.

“(a) DEFINITION OF CHERRY-STEMMED ROAD.—In this section, the term ‘cherry-stemmed road’ means a road

1 or trail that is excluded from a wilderness area or wilder-
2 ness addition designated by section 202 by a non-wilder-
3 ness corridor having designated wilderness on both sides,
4 as generally depicted on the maps described in such sec-
5 tion.

6 “(b) PROHIBITION ON CLOSURE OR TRAVEL RE-
7 STRICTIONS ON CHERRY-STEMMED ROADS.—The Sec-
8 retary concerned shall not—

9 “(1) close any cherry-stemmed road that is
10 open to the public as of the date of the enactment
11 of this Act;

12 “(2) prohibit motorized access on a cherry-
13 stemmed road that is open to the public for motor-
14 ized access as of the date of the enactment of this
15 Act; or

16 “(3) prohibit mechanized access on a cherry-
17 stemmed road that is open to the public for mecha-
18 nized access as of the date of the enactment of this
19 Act.

20 “(c) RESOURCE PROTECTION OR PUBLIC SAFETY
21 EXCEPTIONS.—Subsection (b) shall not apply to a cherry-
22 stemmed road if the Secretary concerned determines that
23 a closure or traffic restriction of the cherry-stemmed road
24 is necessary for purposes of significant resource protection
25 or public safety.

1 **“SEC. 1305. DESIGNATION OF POTENTIAL WILDERNESS**
2 **AREA.**

3 “(a) IN GENERAL.—Certain land administered by the
4 National Park Service, comprising approximately 1 acre
5 as generally depicted on the map entitled ‘Proposed Poten-
6 tial Wilderness, Mormon Peak Microwave Facility, Death
7 Valley National Park’ and dated March 1, 2018, is des-
8 ignated as a potential wilderness area.

9 “(b) USES.—The Secretary shall permit only the uses
10 on the land described in subsection (a) that were per-
11 mitted on the date of enactment of the California Desert
12 Protection Act of 1994 (Public Law 103–433).

13 “(c) REESTABLISHMENT OF WILDERNESS DESIGNA-
14 TION.—

15 “(1) NOTICE.—The Secretary shall publish a
16 notice in the Federal Register when the Secretary
17 determines that—

18 “(A) the communications site within the
19 potential wilderness area designated under sub-
20 section (a) is no longer used;

21 “(B) the associated right-of-way is relin-
22 quished or not renewed; and

23 “(C) the conditions in the potential wilder-
24 ness area designated by subparagraph (a) are
25 compatible with the Wilderness Act (16 U.S.C.
26 1131 et seq.).

1 “(2) DESIGNATION.—Upon publication by the
2 Secretary of the notice described in paragraph (1),
3 the land described in subsection (a) shall be—

4 “(A) designated as wilderness and as a
5 component of the National Wilderness Preser-
6 vation System; and

7 “(B) incorporated into the Death Valley
8 National Park Wilderness designated by section
9 601 of Public Law 103–433.

10 **“TITLE XIV—NATIONAL PARK**
11 **SYSTEM ADDITIONS**

12 **“SEC. 1401. DEATH VALLEY NATIONAL PARK BOUNDARY RE-**
13 **VISION.**

14 “(a) IN GENERAL.—The boundary of Death Valley
15 National Park is adjusted to include—

16 “(1) the approximately 28,923 acres of Bureau
17 of Land Management land in Inyo County, Cali-
18 fornia, abutting the southern end of the Death Val-
19 ley National Park that lies between Death Valley
20 National Park to the north and Ft. Irwin Military
21 Reservation to the south and which runs approxi-
22 mately 34 miles from west to east, as depicted on
23 the map entitled ‘Death Valley National Park Pro-
24 posed Boundary Addition-Bowling Alley’, numbered
25 143/128,605, and dated May 14, 2015; and

1 “(2) the approximately 6,369 acres of Bureau
2 of Land Management land in Inyo County, Cali-
3 fornia, located in the northeast area of Death Valley
4 National Park that is within, and surrounded by,
5 land under the jurisdiction of the Director of the
6 National Park Service, as depicted on the map enti-
7 tled ‘Death Valley National Park Proposed Bound-
8 ary Addition-Crater’, numbered 143/100,079C, and
9 dated October 7, 2014.

10 “(b) AVAILABILITY OF MAP.—The maps described in
11 paragraphs (1) and (2) of subsection (a) shall be on file
12 and available for public inspection in the appropriate of-
13 fices of the National Park Service.

14 “(c) ADMINISTRATION.—The Secretary of the Inte-
15 rior (referred to in this title as the ‘Secretary’) shall—

16 “(1) administer any land added to Death Valley
17 National Park under subsection (a)—

18 “(A) as part of Death Valley National
19 Park; and

20 “(B) in accordance with applicable laws
21 (including regulations); and

22 “(2) not later than 180 days after the date of
23 enactment of this Act, enter into a memorandum of
24 understanding with Inyo County, California, to per-
25 mit operationally feasible, ongoing access and use

1 (including, but not limited to, material storage as
2 well as excavation) to gravel pits in existence as of
3 that date along Saline Valley Road within Death
4 Valley National Park for road maintenance and re-
5 pairs in accordance with applicable laws (including
6 regulations).

7 “(d) ENVIRONMENTAL REMEDIATION.—To ensure
8 consistency with the Comprehensive Environmental Re-
9 sponse, Compensation, and Liability Act of 1980 (42
10 U.S.C. 9601 et seq.), and Department of the Interior pol-
11 icy, prior to the transfer of any of the lands described in
12 subsection (a) to the National Park Service, the land shall
13 be fully investigated for contamination in accordance with
14 applicable environmental due diligence standards of the
15 disposing agency and, within 3 years from the date of en-
16 actment of this subsection, the disposing agency shall un-
17 dertake any environmental remediation or clean up activi-
18 ties and pay for such activities relating to facilities, land
19 or interest in land identified for transfer.

20 **“SEC. 1402. MOJAVE NATIONAL PRESERVE.**

21 “The boundary of the Mojave National Preserve is
22 adjusted to include the 25 acres of Bureau of Land Man-
23 agement land in Baker, California, as depicted on the map
24 entitled ‘Mojave National Preserve Proposed Boundary

1 Addition’, numbered 170/100,199, and dated August
2 2009.

3 **“SEC. 1403. JOSHUA TREE NATIONAL PARK BOUNDARY RE-**
4 **VISION.**

5 “(a) IN GENERAL.—The boundary of the Joshua
6 Tree National Park is adjusted to include—

7 “(1) the 2,879 acres of land managed by Direc-
8 tor of the Bureau of Land Management that are
9 contiguous at several different places to the northern
10 boundaries of Joshua Tree National Park in the
11 northwest section of the Park, as depicted on the
12 map entitled ‘Joshua Tree National Park Proposed
13 Boundary Additions’, numbered 156/100,077, and
14 dated August 2009; and

15 “(2) the 1,639 acres of land to be acquired
16 from the Mojave Desert Land Trust that are contig-
17 uous at several different places to the northern
18 boundaries of Joshua Tree National Park in the
19 northwest section of the Park, as depicted on the
20 map entitled ‘Mojave Desert Land Trust National
21 Park Service Additions’, numbered 156/126,376,
22 and dated September 2014.

23 “(b) AVAILABILITY OF MAPS.—The map described in
24 subsection (a) and the map depicting the 25 acres de-
25 scribed in subsection (c)(2) shall be on file and available

1 for public inspection in the appropriate offices of the Na-
2 tional Park Service.

3 “(c) ADMINISTRATION.—

4 “(1) IN GENERAL.—The Secretary shall admin-
5 ister any land added to the Joshua Tree National
6 Park under subsection (a) and the additional land
7 described in paragraph (2)—

8 “(A) as part of Joshua Tree National
9 Park; and

10 “(B) in accordance with applicable laws
11 (including regulations).

12 “(2) DESCRIPTION OF ADDITIONAL LAND.—The
13 additional land referred to in paragraph (1) is the
14 25 acres of land—

15 “(A) depicted on the map entitled ‘Joshua
16 Tree National Park Boundary Adjustment
17 Map’, numbered 156/80,049, and dated April 1,
18 2003;

19 “(B) added to Joshua Tree National Park
20 by the notice of the Department of the Interior
21 of August 28, 2003 (68 Fed. Reg. 51799); and

22 “(C) more particularly described as lots
23 26, 27, 28, 33, and 34 in sec. 34, T. 1 N., R.
24 8 E., San Bernardino Meridian.

1 “(d) SOUTHERN CALIFORNIA EDISON COMPANY EN-
2 ERGY TRANSPORT FACILITIES AND RIGHTS-OF-WAY.—

3 “(1) IN GENERAL.—Nothing in this title termi-
4 nates any valid right-of-way for the customary oper-
5 ation, maintenance, upgrade, repair, relocation with-
6 in an existing right-of-way, replacement, or other au-
7 thorized energy transport facility activities in a
8 right-of-way issued, granted, or permitted to the
9 Southern California Edison Company or the prede-
10 cessors, successors, or assigns of the Southern Cali-
11 fornia Edison Company that is located on land de-
12 scribed in paragraphs (1) and (2) of subsection (a),
13 including, at a minimum, the use of mechanized ve-
14 hicles, helicopters, or other aerial devices.

15 “(2) UPGRADES AND REPLACEMENTS.—Noth-
16 ing in this title prohibits the upgrading or replace-
17 ment of—

18 “(A) Southern California Edison Company
19 energy transport facilities, including the energy
20 transport facilities referred to as the Jellystone,
21 Burnt Mountain, Whitehorn, Allegra, and Utah
22 distribution circuits rights-of-way; or

23 “(B) an energy transport facility in rights-
24 of-way issued, granted, or permitted by the Sec-

1 retary adjacent to Southern California Edison
2 Joshua Tree Utility Facilities.

3 “(3) PUBLICATION OF PLANS.—Not later than
4 the date that is 1 year after the date of enactment
5 of this title or the issuance of a new energy trans-
6 port facility right-of-way within the Joshua Tree Na-
7 tional Park, whichever is earlier, the Secretary, in
8 consultation with the Southern California Edison
9 Company, shall publish plans for regular and emer-
10 gency access by the Southern California Edison
11 Company to the rights-of-way of the Southern Cali-
12 fornia Edison Company within Joshua Tree Na-
13 tional Park.

14 **“TITLE XV—OFF-HIGHWAY**
15 **VEHICLE RECREATION AREAS**

16 **“SEC. 1501. DESIGNATION OF OFF-HIGHWAY VEHICLE**
17 **RECREATION AREAS.**

18 “(a) DESIGNATION.—In accordance with the Federal
19 Land Policy and Management Act of 1976 (43 U.S.C.
20 1701 et seq.) and resource management plans developed
21 under this title and subject to valid rights, the following
22 land within the Conservation Area in San Bernardino
23 County, California, is designated as Off-Highway Vehicle
24 Recreation Areas:

1 “(1) DUMONT DUNES OFF-HIGHWAY VEHICLE
2 RECREATION AREA.—Certain Bureau of Land Man-
3 agement land in the Conservation Area, comprising
4 approximately 7,630 acres, as generally depicted on
5 the map entitled ‘Dumont Dunes OHV Recreation
6 Area’ and dated February 22, 2018, which shall be
7 known as the ‘Dumont Dunes Off-Highway Vehicle
8 Recreation Area’.

9 “(2) EL MIRAGE OFF-HIGHWAY VEHICLE
10 RECREATION AREA.—Certain Bureau of Land Man-
11 agement land in the Conservation Area, comprising
12 approximately 14,930 acres, as generally depicted on
13 the map entitled ‘El Mirage Proposed OHV Recre-
14 ation Area’ and dated February 22, 2018, which
15 shall be known as the ‘El Mirage Off-Highway Vehi-
16 cle Recreation Area’.

17 “(3) RASOR OFF-HIGHWAY VEHICLE RECRE-
18 ATION AREA.—Certain Bureau of Land Management
19 land in the Conservation Area, comprising approxi-
20 mately 23,910 acres, as generally depicted on the
21 map entitled ‘Rasor Proposed OHV Recreation Area’
22 and dated March 9, 2018, which shall be known as
23 the ‘Rasor Off-Highway Vehicle Recreation Area’.

24 “(4) SPANGLER HILLS OFF-HIGHWAY VEHICLE
25 RECREATION AREA.—Certain Bureau of Land Man-

1 agement land in the Conservation Area, comprising
2 approximately 56,140 acres, as generally depicted on
3 the map entitled ‘Spangler Hills Proposed OHV
4 Recreation Area’ and dated March 9, 2018, which
5 shall be known as the ‘Spangler Hills Off-Highway
6 Vehicle Recreation Area’.

7 “(5) STODDARD VALLEY OFF-HIGHWAY VEHI-
8 CLE RECREATION AREA.—Certain Bureau of Land
9 Management land in the Conservation Area, com-
10 prising approximately 40,110 acres, as generally de-
11 picted on the map entitled ‘Stoddard Valley Pro-
12 posed OHV Recreation Area’ and dated March 9,
13 2018, which shall be known as the ‘Stoddard Valley
14 Off-Highway Vehicle Recreation Area’.

15 “(b) EXPANSION OF JOHNSON VALLEY OFF-HIGH-
16 WAY VEHICLE RECREATION AREA.—The Johnson Valley
17 Off-Highway Vehicle Recreation Area designated by sec-
18 tion 2945 of the Military Construction Authorization Act
19 for Fiscal Year 2014 (division B of Public Law 113–66;
20 127 Stat. 1038) is expanded to include all of the land,
21 approximately 11,300 acres, depicted as the ‘Proposed
22 Johnson Valley Off-Highway Vehicle Recreation Area Ad-
23 ditions’ on the map entitled ‘Johnson Valley Off-Highway
24 Vehicle Recreation Area’ and dated March 15, 2018.

1 “(c) PURPOSE.—The purpose of the off-highway ve-
2 hicle recreation areas designated or expanded under sub-
3 sections (a) and (b) is to preserve and enhance the rec-
4 reational opportunities within the Conservation Area (in-
5 cluding opportunities for off-highway vehicle recreation),
6 while conserving the wildlife and other natural resource
7 values of the Conservation Area.

8 “(d) MAPS AND DESCRIPTIONS.—

9 “(1) PREPARATION AND SUBMISSION.—As soon
10 as practicable after the date of enactment of this
11 title, the Secretary shall file a map and legal de-
12 scription of each off-highway vehicle recreation area
13 designated or expanded by subsections (a) or (b)
14 with—

15 “(A) the Committee on Natural Resources
16 of the House of Representatives; and

17 “(B) the Committee on Energy and Nat-
18 ural Resources of the Senate.

19 “(2) LEGAL EFFECT.—The map and legal de-
20 scriptions of the off-highway vehicle recreation areas
21 filed under paragraph (1) shall have the same force
22 and effect as if included in this title, except that the
23 Secretary may correct errors in the map and legal
24 descriptions.

1 “(3) PUBLIC AVAILABILITY.—Each map and
2 legal description filed under paragraph (1) shall be
3 filed and made available for public inspection in the
4 appropriate offices of the Bureau of Land Manage-
5 ment.

6 “(e) USE OF THE LAND.—

7 “(1) RECREATIONAL ACTIVITIES.—

8 “(A) IN GENERAL.—The Secretary shall
9 continue to authorize, maintain, and enhance
10 the recreational uses of the off-highway vehicle
11 recreation areas designated or expanded by sub-
12 sections (a) and (b), including, but not limited
13 to off-highway recreation, hiking, camping,
14 hunting, mountain biking, sightseeing,
15 rockhounding, and horseback riding, as long as
16 the recreational use is consistent with this sec-
17 tion, the protection of public health and safety,
18 and any other applicable law.

19 “(B) OFF-HIGHWAY VEHICLE AND OFF-
20 HIGHWAY RECREATION.—To the extent con-
21 sistent with applicable Federal law (including
22 regulations) and this section, any authorized
23 recreation activities and use designations in ef-
24 fect on the date of enactment of this title and
25 applicable to the off-highway vehicle recreation

1 areas designated or expanded by subsections (a)
2 and (b) shall continue, including casual off-
3 highway vehicular use, racing, competitive
4 events, rock crawling, training, and other forms
5 of off-highway recreation.

6 “(2) WILDLIFE GUZZLERS.—Wildlife guzzlers
7 shall be allowed in the off-highway vehicle recreation
8 areas designated by subsection (a) in accordance
9 with—

10 “(A) applicable Bureau of Land Manage-
11 ment guidelines; and

12 “(B) State law.

13 “(3) PROHIBITED USES.—

14 “(A) IN GENERAL.—Permanent commer-
15 cial development (including development of en-
16 ergy facilities, but excluding energy transport
17 facilities, rights-of-way, and related tele-
18 communication facilities) shall be prohibited in
19 the off-highway vehicle recreation areas des-
20 ignated or expanded by subsections (a) and (b)
21 if the Secretary determines that the develop-
22 ment is incompatible with the purpose of this
23 title.

24 “(B) EXCEPTION FOR TEMPORARY PER-
25 MITTED VENDORS.—Subparagraph (A) does not

1 prohibit a commercial vendor from establishing,
2 pursuant to a temporary permit, a site in the
3 off-highway vehicle recreation areas for the pur-
4 pose of providing accessories and other support
5 for off-highway vehicles and vehicles used for
6 accessing the area.

7 “(f) ADMINISTRATION.—

8 “(1) IN GENERAL.—The Secretary shall admin-
9 ister the off-highway vehicle recreation areas des-
10 ignated or expanded by subsections (a) and (b) in
11 accordance with—

12 “(A) this title;

13 “(B) the Federal Land Policy and Man-
14 agement Act of 1976 (43 U.S.C. 1701 et seq.);
15 and

16 “(C) any other applicable laws (including
17 regulations).

18 “(2) MANAGEMENT PLAN.—

19 “(A) IN GENERAL.—As soon as prac-
20 ticable, but not later than 3 years after the date
21 of enactment of this title, the Secretary will
22 evaluate and determine if current land use
23 plans meet the intent of this Act. If not, the
24 Secretary shall—

1 “(i) amend existing resource manage-
2 ment plans applicable to the land des-
3 ignated as off-highway vehicle recreation
4 areas under subsection (a); or

5 “(ii) develop new activity plans for
6 each off-highway vehicle recreation area
7 designated under that subsection.

8 “(B) REQUIREMENTS.—All new or amend-
9 ed plans under subparagraph (A) shall be de-
10 signed to preserve and enhance safe off-highway
11 vehicle and other recreational opportunities
12 within the applicable recreation area consistent
13 with—

14 “(i) the purpose described in sub-
15 section (c); and

16 “(ii) any applicable laws (including
17 regulations).

18 “(C) INTERIM PLANS.—Pending comple-
19 tion of a new activity plan under subparagraph
20 (A), the existing resource management plans
21 shall govern the use of the applicable off-high-
22 way vehicle recreation area.

23 “(g) STUDY.—

24 “(1) IN GENERAL.—As soon as practicable, but
25 not later than 2 years after the date of enactment

1 of this title, the Secretary shall complete a study to
2 identify Bureau of Land Management land within
3 the Conservation Area that is suitable for addition
4 to—

5 “(A) the off-highway vehicle recreation
6 areas designated by subsections (a) and (b); or

7 “(B) the Johnson Valley Off-Highway Ve-
8 hicle Recreation Area designated by section
9 2945 of the National Defense Authorization Act
10 for Fiscal Year 2014 (Public Law 113–66; 127
11 Stat. 1038).

12 “(2) STUDY AREAS.—The study required under
13 paragraph (1) shall include—

14 “(A) certain Bureau of Land Management
15 land in the Conservation Area, comprising ap-
16 proximately 41,000 acres, as generally depicted
17 on the map entitled ‘Spangler Hills Proposed
18 OHV Recreation Area’ and dated March 9,
19 2018;

20 “(B) certain Bureau of Land Management
21 land in the Conservation Area, comprising ap-
22 proximately 680 acres, as generally depicted on
23 the map entitled ‘El Mirage Proposed OHV
24 Recreation Area’ and dated February 22, 2018;
25 and

1 “(C) certain Bureau of Land Management
2 land in the Conservation Area, comprising ap-
3 proximately 10,300 acres, as generally depicted
4 on the map entitled ‘Johnson Valley Off-High-
5 way Vehicle Recreation Area’ and dated March
6 15, 2018.

7 “(3) REQUIREMENTS.—In preparing the study
8 under paragraph (1), the Secretary shall—

9 “(A) seek input from stakeholders, includ-
10 ing—

11 “(i) the State, including—

12 “(I) the California Public Utili-
13 ties Commission; and

14 “(II) the California Energy Com-
15 mission;

16 “(ii) San Bernardino County, Cali-
17 fornia;

18 “(iii) the public;

19 “(iv) recreational user groups;

20 “(v) conservation organizations;

21 “(vi) the Southern California Edison
22 Company;

23 “(vii) the Pacific Gas and Electric
24 Company; and

1 “(viii) other Federal agencies, includ-
2 ing the Department of Defense;

3 “(B) explore the feasibility of—

4 “(i) expanding the southern boundary
5 of the off-highway vehicle recreation area
6 described in subsection (a)(3) to include
7 previously disturbed land; and

8 “(ii) establishing a right of way for
9 OHV use in the area identified in (g)(2),
10 to the extent necessary to connect the non-
11 contiguous areas of the Johnson Valley
12 Off-Highway Vehicle Recreation Area;

13 “(C) identify and exclude from consider-
14 ation any land that—

15 “(i) is managed for conservation pur-
16 poses;

17 “(ii) is identified as critical habitat
18 for a listed species;

19 “(iii) may be suitable for renewable
20 energy development; or

21 “(iv) may be necessary for energy
22 transmission; and

23 “(D) not recommend or approve expansion
24 of off-highway vehicle recreation areas within
25 the Conservation Area that collectively would

1 exceed the total acres administratively des-
2 ignated for off-highway recreation within the
3 Conservation Area as of the day before the date
4 of enactment of the National Defense Author-
5 ization Act for Fiscal Year 2014 (Public Law
6 113–66; 127 Stat. 672).

7 “(4) APPLICABLE LAW.—The Secretary shall
8 consider the information and recommendations of
9 the study completed under paragraph (1) to deter-
10 mine the impacts of expanding off-highway vehicle
11 recreation areas designated by subsection (a) on the
12 Conservation Area, in accordance with—

13 “(A) the National Environmental Policy
14 Act of 1969 (42 U.S.C. 4321 et seq.);

15 “(B) the Endangered Species Act of 1973
16 (16 U.S.C. 1531 et seq.);

17 “(C) applicable regulations and plans, in-
18 cluding the Desert Renewable Energy Conserva-
19 tion Plan Land Use Plan Amendment; and

20 “(D) any other applicable law.

21 “(5) SUBMISSION TO CONGRESS.—On comple-
22 tion of the study under paragraph (1), the Secretary
23 shall submit the study to—

24 “(A) the Committee on Natural Resources
25 of the House of Representatives; and

1 “(B) the Committee on Energy and Nat-
2 ural Resources of the Senate.

3 “(6) AUTHORIZATION FOR EXPANSION.—

4 “(A) IN GENERAL.—On completion of the
5 study under paragraph (1) and in accordance
6 with all applicable laws (including regulations),
7 the Secretary shall authorize the expansion of
8 the off-highway vehicle recreation areas rec-
9 ommended under the study.

10 “(B) MANAGEMENT.—Any land within the
11 expanded areas under subparagraph (A) shall
12 be managed in accordance with this section.

13 “(h) SOUTHERN CALIFORNIA EDISON COMPANY
14 UTILITY FACILITIES AND RIGHTS-OF-WAY.—

15 “(1) EFFECT OF TITLE.—Nothing in this
16 title—

17 “(A) terminates any validly issued right-of-
18 way for the customary operation, maintenance,
19 upgrade, repair, relocation within an existing
20 right-of-way, replacement, or other authorized
21 energy transport facility activities (including the
22 use of any mechanized vehicle, helicopter, and
23 other aerial device) in a right-of-way issued,
24 granted, or permitted to Southern California
25 Edison Company (including any predecessor or

1 successor in interest or assign) that is located
2 on land included in—

3 “(i) the El Mirage Off-Highway Vehi-
4 cle Recreation Area;

5 “(ii) the Spangler Hills Off-Highway
6 Vehicle Recreation Area; or

7 “(iii) the Stoddard Valley Off High-
8 way Vehicle Recreation Area;

9 “(B) affects the application, siting, route
10 selection, right-of-way acquisition, or construc-
11 tion of the Coolwater-Lugo transmission
12 project, as may be approved by the California
13 Public Utilities Commission and the Bureau of
14 Land Management; or

15 “(C) prohibits the upgrading or replace-
16 ment of any Southern California Edison Com-
17 pany—

18 “(i) utility facility, including such a
19 utility facility known on the date of enact-
20 ment of this title as—

21 “(I) ‘Gale-PS 512 transmission
22 lines or rights-of-way’; and

23 “(II) ‘Patio, Jack Ranch, and
24 Kenworth distribution circuits or
25 rights-of-way’; and

1 “(ii) energy transport facility in a
2 right-of-way issued, granted, or permitted
3 by the Secretary adjacent to a utility facil-
4 ity referred to in clause (i).

5 “(2) PLANS FOR ACCESS.—The Secretary, in
6 consultation with the Southern California Edison
7 Company, shall publish plans for regular and emer-
8 gency access by the Southern California Edison
9 Company to the rights-of-way of the Company by
10 the date that is 1 year after the later of—

11 “(A) the date of enactment of this title;
12 and

13 “(B) the date of issuance of a new energy
14 transport facility right-of-way within—

15 “(i) the El Mirage Off-Highway Vehi-
16 cle Recreation Area;

17 “(ii) the Spangler Hills Off-Highway
18 Vehicle Recreation Area; or

19 “(iii) the Stoddard Valley Off High-
20 way Vehicle Recreation Area.

21 “(i) PACIFIC GAS AND ELECTRIC COMPANY UTILITY
22 FACILITIES AND RIGHTS-OF-WAY.—

23 “(1) EFFECT OF TITLE.—Nothing in this
24 title—

“(A) terminates any validly issued right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized activity (including the use of any mechanized vehicle, helicopter, and other aerial device) in a right-of-way issued, granted, or permitted to Pacific Gas and Electric Company (including any predecessor or successor in interest or assign) that is located on land included in the Spangler Hills Off-Highway Vehicle Recreation Area; or

“(B) prohibits the upgrading or replacement of any—

“(i) utility facilities of the Pacific Gas and Electric Company, including those utility facilities known on the date of enactment of this title as—

“(I) Gas Transmission Line 311
or rights-of-way; and

“(II) Gas Transmission Line 372
or rights-of-way; and

“(ii) utility facilities of the Pacific Gas and Electric Company in rights-of-way issued, granted, or permitted by the Sec-

1 retary adjacent to a utility facility referred
2 to in clause (i).

3 “(2) PLANS FOR ACCESS.—Not later than 1
4 year after the date of enactment of this title or the
5 issuance of a new utility facility right-of-way within
6 the Spangler Hills Off-Highway Vehicle Recreation
7 Area, whichever is later, the Secretary, in consulta-
8 tion with the Pacific Gas and Electric Company,
9 shall publish plans for regular and emergency access
10 by the Pacific Gas and Electric Company to the
11 rights-of-way of the Pacific Gas and Electric Com-
12 pany.

13 **“TITLE XVI—ALABAMA HILLS**
14 **NATIONAL SCENIC AREA**

15 **“SEC. 1601. DEFINITIONS.**

16 “In this title:

17 “(1) MANAGEMENT PLAN.—The term ‘manage-
18 ment plan’ means the management plan for the Na-
19 tional Scenic Area developed under section 1603(a).

20 “(2) MAP.—The term ‘Map’ means the map ti-
21 tled ‘Proposed Alabama Hills National Scenic Area’,
22 dated September 8, 2014.

23 “(3) MOTORIZED VEHICLES.—The term ‘motor-
24 ized vehicles’ means motorized or mechanized vehi-
25 cles and includes, when used by utilities, mechanized

1 equipment, helicopters, and other aerial devices nec-
2 essary to maintain electrical or communications in-
3 frastructure.

4 “(4) NATIONAL SCENIC AREA.—The term ‘Na-
5 tional Scenic Area’ means the Alabama Hills Na-
6 tional Scenic Area established by section 1602(a).

7 “(5) SECRETARY.—The term ‘Secretary’ means
8 the Secretary of the Interior.

9 “(6) STATE.—The term ‘State’ means the State
10 of California.

11 “(7) TRIBE.—The term ‘Tribe’ means the Lone
12 Pine Paiute-Shoshone.

13 “(8) UTILITY FACILITY.—The term ‘utility fa-
14 cility’ means any and all existing and future water
15 system facilities including aqueducts, streams,
16 ditches, and canals; water facilities including, but
17 not limited to, flow measuring stations, gauges,
18 gates, valves, piping, conduits, fencing, and electrical
19 power and communications devices and systems; and
20 any and all existing and future electric generation
21 facilities, electric storage facilities, overhead and/or
22 underground electrical supply systems and commu-
23 nication systems consisting of electric substations,
24 electric lines, poles and towers made of various ma-
25 terials, ‘H’ frame structures, guy wires and anchors,

1 crossarms, wires, underground conduits, cables,
2 vaults, manholes, handholes, above-ground enclo-
3 sures, markers and concrete pads and other fixtures,
4 appliances and communication circuits, and other
5 fixtures, appliances and appurtenances connected
6 therewith necessary or convenient for the construc-
7 tion, operation, regulation, control, grounding and
8 maintenance of electric generation, storage, lines
9 and communication circuits, for the purpose of
10 transmitting intelligence and generating, storing,
11 distributing, regulating and controlling electric en-
12 ergy to be used for light, heat, power, communica-
13 tion, and other purposes.

14 **“SEC. 1602. ALABAMA HILLS NATIONAL SCENIC AREA, CALI-**
15 **FORNIA.**

16 “(a) ESTABLISHMENT.—Subject to valid, existing
17 rights, there is established in Inyo County, California, the
18 Alabama Hills National Scenic Area. The National Scenic
19 Area shall be comprised of the approximately 18,610 acres
20 generally depicted on the Map as ‘National Scenic Area’.

21 “(b) PURPOSE.—The purpose of the National Scenic
22 Area is to conserve, protect, and enhance for the benefit,
23 use, and enjoyment of present and future generations the
24 nationally significant scenic, cultural, geological, edu-
25 cational, biological, historical, recreational, cinemato-

1 graphic, and scientific resources of the National Scenic
2 Area managed consistent with section 302(a) of the Fed-
3 eral Land Policy and Management Act of 1976 (43 U.S.C.
4 1732(a)).

5 “(c) MAP; LEGAL DESCRIPTION.—

6 “(1) IN GENERAL.—As soon as practicable
7 after the date of enactment of this Act, the Sec-
8 retary shall file a map and a legal description of the
9 National Scenic Area with—

10 “(A) the Committee on Energy and Nat-
11 ural Resources of the Senate; and

12 “(B) the Committee on Natural Resources
13 of the House of Representatives.

14 “(2) FORCE OF LAW.—The map and legal de-
15 scriptions filed under paragraph (1) shall have the
16 same force and effect as if included in this Act, ex-
17 cept that the Secretary may correct any clerical and
18 typographical errors in the map and legal descrip-
19 tions.

20 “(3) PUBLIC AVAILABILITY.—Each map and
21 legal description filed under paragraph (1) shall be
22 on file and available for public inspection in the ap-
23 propriate offices of the Forest Service and Bureau
24 of Land Management.

1 “(d) ADMINISTRATION.—The Secretary shall manage
2 the National Scenic Area—

3 “(1) as a component of the National Landscape
4 Conservation System;

5 “(2) so as not to impact the future continuing
6 operations and maintenance of any activities associ-
7 ated with valid, existing rights, including water
8 rights;

9 “(3) in a manner that conserves, protects, and
10 enhances the resources and values of the National
11 Scenic Area described in subsection (b); and

12 “(4) in accordance with—

13 “(A) the Federal Land Policy and Manage-
14 ment Act of 1976 (43 U.S.C. 1701 et seq.);

15 “(B) this Act; and

16 “(C) any other applicable laws.

17 “(e) MANAGEMENT.—

18 “(1) IN GENERAL.—The Secretary shall allow
19 only such uses of the National Scenic Area as the
20 Secretary determines would support the purposes of
21 the National Scenic Area as described in subsection
22 (b).

23 “(2) RECREATIONAL ACTIVITIES.—Except as
24 otherwise provided in this Act or other applicable
25 law, or as the Secretary determines to be necessary

1 for public health and safety, the Secretary shall
2 allow existing recreational uses of the National Sce-
3 nic Area to continue, including, but not limited to,
4 hiking, mountain biking, rock climbing, sightseeing,
5 horseback riding, hunting, fishing, and appropriate
6 authorized motorized vehicle use.

7 “(3) **MOTORIZED VEHICLES.**—Except as speci-
8 fied within this Act and/or in cases in which motor-
9 ized vehicles are needed for administrative purposes,
10 or to respond to an emergency, the use of motorized
11 vehicles in the National Scenic Area shall be per-
12 mitted only on—

13 “(A) roads and trails designated by the Di-
14 rector of the Bureau of Land Management for
15 use of motorized vehicles as part of a manage-
16 ment plan sustaining a semi-primitive motorized
17 experience; or

18 “(B) on county-maintained roads in ac-
19 cordance with applicable State and county laws.

20 “(f) **NO BUFFER ZONES.**—

21 “(1) **IN GENERAL.**—Nothing in this Act creates
22 a protective perimeter or buffer zone around the Na-
23 tional Scenic Area.

24 “(2) **ACTIVITIES OUTSIDE NATIONAL SCENIC**
25 **AREA.**—The fact that an activity or use on land out-

1 side the National Scenic Area can be seen or heard
2 within the National Scenic Area shall not preclude
3 the activity or use outside the boundaries of the Na-
4 tional Scenic Area.

5 “(g) ACCESS.—The Secretary shall continue to pro-
6 vide private landowners adequate access to inholdings in
7 the National Scenic Area.

8 “(h) FILMING.—Nothing in this Act prohibits filming
9 (including commercial film production, student filming,
10 and still photography) within the National Scenic Area—

11 “(1) subject to—

12 “(A) such reasonable regulations, policies,
13 and practices as the Secretary considers to be
14 necessary; and

15 “(B) applicable law; and

16 “(2) in a manner consistent with the purposes
17 described in subsection (b).

18 “(i) FISH AND WILDLIFE.—Nothing in this Act af-
19 fects the jurisdiction or responsibilities of the State with
20 respect to fish and wildlife.

21 “(j) LIVESTOCK.—The grazing of livestock in the Na-
22 tional Scenic Area, including grazing under the Alabama
23 Hills allotment and the George Creek allotment, as estab-
24 lished before the date of enactment of this Act, shall be
25 permitted to continue—

1 “(1) subject to—

2 “(A) such reasonable regulations, policies,
3 and practices as the Secretary considers to be
4 necessary; and

5 “(B) applicable law; and

6 “(2) in a manner consistent with the purposes
7 described in subsection (b).

8 “(k) OVERFLIGHTS.—Nothing in this Act restricts or
9 precludes flights over the National Scenic Area or over-
10 flights that can be seen or heard within the National Sce-
11 nic Area, including—

12 “(1) transportation, sightseeing and filming
13 flights, general aviation planes, helicopters, hang-
14 gliders, and balloonists, for commercial or rec-
15 reational purposes;

16 “(2) low-level overflights of military aircraft;

17 “(3) flight testing and evaluation;

18 “(4) the designation or creation of new units of
19 special use airspace, or the establishment of military
20 flight training routes, over the National Scenic Area;
21 or

22 “(5) the use, including take-off and landing, of
23 helicopters and other aerial devices within valid
24 rights-of-way to construct or maintain energy trans-
25 port facilities.

1 “(l) WITHDRAWAL.—Subject to this Act’s provisions
2 and valid rights in existence on the date of enactment of
3 this Act, including rights established by prior withdrawals,
4 the Federal land within the National Scenic Area is with-
5 drawn from all forms of—

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

8 “(2) location, entry, and patent under the min-
9 ing laws; and

10 “(3) disposition under all laws pertaining to
11 mineral and geothermal leasing or mineral materials.

12 “(m) WILDLAND FIRE OPERATIONS.—Nothing in
13 this Act prohibits the Secretary, in cooperation with other
14 Federal, State, and local agencies, as appropriate, from
15 conducting wildland fire operations in the National Scenic
16 Area, consistent with the purposes described in subsection
17 (b).

18 “(n) GRANTS; COOPERATIVE AGREEMENTS.—The
19 Secretary may make grants to, or enter into cooperative
20 agreements with, State, tribal, and local governmental en-
21 tities and private entities to conduct research, interpreta-
22 tion, or public education or to carry out any other initia-
23 tive relating to the restoration, conservation, or manage-
24 ment of the National Scenic Area.

1 “(o) AIR AND WATER QUALITY.—Nothing in this Act
2 modifies any standard governing air or water quality out-
3 side of the boundaries of the National Scenic Area.

4 “(p) UTILITY FACILITIES AND RIGHTS-OF-WAY.—

5 “(1) Nothing in this Act shall—

6 “(A) affect the existence, use, operation,
7 maintenance (including but not limited to vege-
8 tation control), repair, construction, reconfig-
9 uration, expansion, inspection, renewal, recon-
10 struction, alteration, addition, relocation, im-
11 provement, funding, removal, or replacement of
12 utility facilities or appurtenant rights-of-way
13 within or adjacent to the National Scenic Area;

14 “(B) affect necessary or efficient access to
15 utility facilities or rights-of-way within or adja-
16 cent to the National Scenic Area subject to sub-
17 section (e); or

18 “(C) preclude the Secretary from author-
19 izing the establishment of new utility facility
20 rights-of-way (including instream sites, routes,
21 and areas) within the National Scenic Area in
22 a manner that minimizes harm to the purpose
23 of the National Scenic Area as described in sub-
24 section (b)—

1 “(i) with the National Environmental
2 Policy Act of 1969 (42 U.S.C. 4321 et
3 seq.) and any other applicable law;

4 “(ii) subject to such terms and condi-
5 tions as the Secretary determines to be ap-
6 propriate; and

7 “(iii) are determined, by the Sec-
8 retary, to be the only technical or feasible
9 location, following consideration of alter-
10 natives within existing rights-of-way or
11 outside of the National Scenic Area.

12 “(2) MANAGEMENT PLAN.—Consistent with
13 this Act, the Management Plan shall establish plans
14 for maintenance of public utility and other rights-of-
15 way within the National Scenic Area.

16 **“SEC. 1603. MANAGEMENT PLAN.**

17 “(a) IN GENERAL.—Not later than 3 years after the
18 date of enactment of this Act, in accordance with sub-
19 section (b), the Secretary shall develop a comprehensive
20 plan for the long-term management of the National Scenic
21 Area.

22 “(b) CONSULTATION.—In developing the manage-
23 ment plan, the Secretary shall—

1 “(1) consult with appropriate State, tribal, and
2 local governmental entities, including Inyo County
3 and the Tribe; and

4 “(2) seek input from—

5 “(A) investor-owned utilities, including
6 Southern California Edison Company;

7 “(B) the Alabama Hills Stewardship
8 Group;

9 “(C) members of the public; and

10 “(D) the Los Angeles Department of
11 Water and Power.

12 “(c) REQUIREMENT.—In accordance with this title,
13 the management plan shall include provisions for mainte-
14 nance of existing public utility and other rights-of-way
15 within the National Scenic Area.

16 “(d) INCORPORATION OF MANAGEMENT PLAN.—In
17 developing the management plan, in accordance with this
18 section, the Secretary shall allow, in perpetuity, casual-
19 use mining limited to the use of hand tools, metal detec-
20 tors, hand-fed dry washers, vacuum cleaners, gold pans,
21 small sluices, and similar items.

22 “(e) INTERIM MANAGEMENT.—Pending completion
23 of the management plan, the Secretary shall manage the
24 National Scenic Area in accordance with section 1602.

1 **“SEC. 1604. LAND TAKEN INTO TRUST FOR LONE PINE PAI-**
2 **UTE-SHOSHONE RESERVATION.**

3 “(a) TRUST LAND.—All right, title, and interest of
4 the United States in and to the approximately 132 acres
5 of Federal land depicted on the Map as ‘Lone Pine Paiute-
6 Shoshone Reservation Addition’ shall be held in trust by
7 the United States for the benefit of the Tribe, subject to
8 the following:

9 “(1) CONDITIONS.—The land shall be subject to
10 all easements, covenants, conditions, restrictions,
11 withdrawals, and other matters of record on the date
12 of the enactment of this Act.

13 “(2) EXCLUSION.—The Federal lands over
14 which the right-of-way for the Los Angeles Aqueduct
15 is located, generally described as the 250-foot-wide
16 right-of-way granted to the City of Los Angeles pur-
17 suant to the Act of June 30, 1906 (Chap. 3926),
18 shall not be taken into trust for the Tribe.

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

23 “(c) RESERVATION LAND.—The land taken into
24 trust pursuant to subsection (a) shall be considered part
25 of the reservation of the Tribe.

1 “(d) GAMING PROHIBITION.—Gaming under the In-
 2 dian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)
 3 shall not be allowed on the land taken into trust pursuant
 4 to subsection (a).

5 **“SEC. 1605. TRANSFER OF ADMINISTRATIVE JURISDICTION.**

6 “Administrative jurisdiction of the approximately 56
 7 acres of Federal land depicted on the Map as ‘USFS
 8 Transfer to BLM’ is hereby transferred from the Forest
 9 Service under the Secretary of Agriculture to the Bureau
 10 of Land Management under the Secretary.

11 **“SEC. 1606. PROTECTION OF SERVICES AND REC-**
 12 **REATIONAL OPPORTUNITIES.**

13 “(a) EFFECT OF TITLE.—Nothing in this title shall
 14 be construed to limit commercial services for existing and
 15 historic recreation uses as authorized by the Bureau of
 16 Land Management’s permit process.

17 “(b) GUIDED RECREATIONAL OPPORTUNITIES.—
 18 Commercial permits to exercise guided recreational oppor-
 19 tunities for the public authorized as of the date of the en-
 20 actment of this title may continue to be authorized.

21 **“TITLE XVII—MISCELLANEOUS**

22 **“SEC. 1701. MILITARY ACTIVITIES.**

23 “Nothing in this Act—

24 “(1) restricts or precludes Department of De-
 25 fense motorized access by land or air—

1 “(A) to respond to an emergency within a
2 wilderness area designated by this Act; or

3 “(B) to control access to the emergency
4 site;

5 “(2) prevents nonmechanized military training
6 activities previously conducted on wilderness areas
7 designated by this title that are consistent with—

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

10 “(B) all applicable laws (including regula-
11 tions);

12 “(3) restricts or precludes low-level overflights
13 of military aircraft over the areas designated as wil-
14 derness, national monuments, special management
15 areas, or recreation areas by this Act, including mili-
16 tary overflights that can be seen or heard within the
17 designated areas;

18 “(4) restricts or precludes flight testing and
19 evaluation in the areas described in paragraph (3);
20 or

21 “(5) restricts or precludes the designation or
22 creation of new units of special use airspace, or the
23 establishment of military flight training routes, over
24 the areas described in paragraph (3).

1 **“SEC. 1702. PROHIBITED USES OF ACQUIRED, DONATED,**
2 **AND CONSERVATION LAND.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) ACQUIRED LAND.—The term ‘acquired
5 land’ means any land acquired within the Conserva-
6 tion Area using amounts from funds such as the
7 Land and Water Conservation Fund established
8 under section 200302 of title 54, United States
9 Code.

10 “(2) CONSERVATION LAND.—The term ‘con-
11 servation land’ means any land within the Conserva-
12 tion Area that is designated by the Bureau of Land
13 Management in the California Desert Conservation
14 Area Plan, as amended, for conservation purposes,
15 as part of a mitigation agreement, or to satisfy the
16 conditions of a Federal habitat conservation plan,
17 general conservation plan, or State natural commu-
18 nities conservation plan, including—

19 “(A) National Conservation Land estab-
20 lished pursuant to section 2002(b)(2)(D) of the
21 Omnibus Public Land Management Act of 2009
22 (16 U.S.C. 7202(b)(2)(D)); and

23 “(B) Areas of Critical Environmental Con-
24 cern established pursuant to section 202(c)(3)
25 of the Federal Land Policy and Management
26 Act of 1976 (43 U.S.C. 1712(c)(3)).

1 “(3) DONATED LAND.—The term ‘donated
2 land’ means any private land donated to the United
3 States for conservation purposes in the Conservation
4 Area.

5 “(4) DONOR.—The term ‘donor’ means an indi-
6 vidual or entity that donates private land within the
7 Conservation Area to the United States.

8 “(5) SECRETARY.—The term ‘Secretary’ means
9 the Secretary of the Interior, acting through the Di-
10 rector of the Bureau of Land Management.

11 “(b) PROHIBITIONS.—Except as provided in sub-
12 section (c), the Secretary shall not authorize the use of
13 acquired land, conservation land, or donated land within
14 the Conservation Area for any activities contrary to the
15 conservation purposes for which the land was acquired,
16 designated, or donated, including—

17 “(1) disposal;

18 “(2) rights-of-way;

19 “(3) leases;

20 “(4) livestock grazing;

21 “(5) infrastructure development, except as pro-
22 vided in subsection (c);

23 “(6) mineral entry; and

24 “(7) off-highway vehicle use, except on—

25 “(A) designated routes;

1 “(B) off-highway vehicle areas designated
2 by law; and

3 “(C) administratively designated open
4 areas.

5 “(c) EXCEPTIONS.—

6 “(1) AUTHORIZATION BY SECRETARY.—Subject
7 to paragraph (2), the Secretary may authorize lim-
8 ited exceptions to prohibited uses of acquired land or
9 donated land in the Conservation Area if—

10 “(A) a right-of-way application for a re-
11 newable energy development project or associ-
12 ated energy transport facility on acquired land
13 or donated land was submitted to the Bureau
14 of Land Management on or before December 1,
15 2009; or

16 “(B) after the completion and consider-
17 ation of an analysis under the National Envi-
18 ronmental Policy Act of 1969 (42 U.S.C. 4321
19 et seq.), and any appropriate land use plan
20 amendment under the Federal Land Policy and
21 Management Act of 1976 (43 U.S.C. 1701 et
22 seq.), the Secretary has determined that pro-
23 posed use is in the public interest.

24 “(2) CONDITIONS.—

1 “(A) IN GENERAL.—If the Secretary
2 grants an exception to the prohibition under
3 paragraph (1), the Secretary shall require the
4 permittee to donate private land of comparable
5 value located within the Conservation Area to
6 the United States to mitigate the use.

7 “(B) APPROVAL.—The private land to be
8 donated under subparagraph (A) shall be ap-
9 proved by the Secretary after—

10 “(i) consultation, to the maximum ex-
11 tent practicable, with the donor of the pri-
12 vate land proposed for nonconservation
13 uses; and

14 “(ii) an opportunity for public com-
15 ment regarding the donation.

16 “(d) EXISTING AGREEMENTS.—Nothing in this sec-
17 tion affects permitted or prohibited uses of donated land
18 or acquired land in the Conservation Area established in
19 any easements, deed restrictions, memoranda of under-
20 standing, or other agreements in existence on the date of
21 enactment of this title.

22 “(e) DEED RESTRICTIONS.—Effective beginning on
23 the date of enactment of this title, within the Conservation
24 Area, the Secretary may—

1 “(1) accept deed restrictions requested by land-
 2 owners for land donated to, or otherwise acquired
 3 by, the United States; and

4 “(2) consistent with existing rights, create deed
 5 restrictions, easements, or other third-party rights
 6 relating to any public land determined by the Sec-
 7 retary to be necessary—

8 “(A) to fulfill the mitigation requirements
 9 resulting from the development of renewable re-
 10 sources; or

11 “(B) to satisfy the conditions of—

12 “(i) a habitat conservation plan or
 13 general conservation plan established pur-
 14 suant to section 10 of the Endangered
 15 Species Act of 1973 (16 U.S.C. 1539); or

16 “(ii) a natural communities conserva-
 17 tion plan approved by the State.

18 “(f) EXISTING RIGHTS-OF-WAY AND LEASES.—
 19 Nothing in this section shall terminate or preclude the re-
 20 newal or reauthorization of valid existing rights-of-way or
 21 leases on the donated land.

22 **“SEC. 1703. TRIBAL USES AND INTERESTS.**

23 “(a) ACCESS.—The Secretary shall ensure access to
 24 areas designated under this Act by members of Indian
 25 tribes for traditional cultural and religious purposes, con-

1 sistent with applicable law, including Public Law 95–341
2 (commonly known as the ‘American Indian Religious
3 Freedom Act’) (42 U.S.C. 1996).

4 “(b) TEMPORARY CLOSURE.—

5 “(1) IN GENERAL.—In accordance with applica-
6 ble law, including Public Law 95–341 (commonly
7 known as the ‘American Indian Religious Freedom
8 Act’) (42 U.S.C. 1996), and subject to paragraph
9 (2), the Secretary, on request of an Indian tribe or
10 Indian religious community, shall temporarily close
11 to general public use any portion of an area des-
12 ignated as a national monument, special manage-
13 ment area, wild and scenic river, area of critical en-
14 vironmental concern, or National Park System unit
15 under this Act (referred to in this subsection as a
16 ‘designated area’) to protect the privacy of tradi-
17 tional cultural and religious activities in the des-
18 ignated area by members of the Indian tribe or In-
19 dian religious community.

20 “(2) LIMITATION.—In closing a portion of a
21 designated area under paragraph (1), the Secretary
22 shall limit the closure to the smallest practicable
23 area for the minimum period necessary for the tradi-
24 tional cultural and religious activities.

25 “(c) CULTURAL RESOURCES MANAGEMENT PLAN.—

1 “(1) IN GENERAL.—Not later than 2 years
2 after the date of enactment of this title, the Sec-
3 retary of the Interior shall develop and implement a
4 cultural resources management plan to identify, pro-
5 tect, and conserve cultural resources of Indian tribes
6 associated with the Xam Kwatchan Trail network
7 extending from Avikwaame (Spirit Mountain, Ne-
8 vada) to Avikwlal (Pilot Knob, California).

9 “(2) CONSULTATION.—The Secretary shall con-
10 sult on the development and implementation of the
11 cultural resources management plan under para-
12 graph (1) with—

13 “(A) each of—

14 “(i) the Chemehuevi Indian Tribe;

15 “(ii) the Hualapai Tribal Nation;

16 “(iii) the Fort Mojave Indian Tribe;

17 “(iv) the Colorado River Indian
18 Tribes;

19 “(v) the Quechan Indian Tribe; and

20 “(vi) the Cocopah Indian Tribe; and

21 “(B) the State Historic Preservation Of-
22 fices of Nevada, Arizona, and California.

23 “(3) RESOURCE PROTECTION.—The cultural re-
24 sources management plan developed under para-
25 graph (1) shall be—

1 “(A) based on a completed cultural re-
2 sources survey; and

3 “(B) include procedures for identifying,
4 protecting, and preserving petroglyphs, ancient
5 trails, intaglios, sleeping circles, artifacts, and
6 other resources of cultural, archaeological, or
7 historical significance in accordance with all ap-
8 plicable laws and policies, including—

9 “(i) chapter 2003 of title 54, United
10 States Code;

11 “(ii) Public Law 95–341 (commonly
12 known as the ‘American Indian Religious
13 Freedom Act’) (42 U.S.C. 1996);

14 “(iii) the Archaeological Resources
15 Protection Act of 1979 (16 U.S.C. 470aa
16 et seq.);

17 “(iv) the Native American Graves
18 Protection and Repatriation Act (25
19 U.S.C. 3001 et seq.); and

20 “(v) Public Law 103–141 (commonly
21 known as the ‘Religious Freedom Restora-
22 tion Act of 1993’) (42 U.S.C. 2000bb et
23 seq.).

24 “(d) WITHDRAWAL.—Subject to valid existing rights,
25 all Federal land within the area administratively with-

1 drawn and known as the ‘Indian Pass Withdrawal Area’
2 is permanently withdrawn from—

3 “(1) all forms of entry, appropriation, or dis-
4 posal under the public land laws;

5 “(2) location, entry, and patent under the min-
6 ing laws; and

7 “(3) right-of-way leasing and disposition under
8 all laws relating to minerals or solar, wind, or geo-
9 thermal energy.

10 **“SEC. 1704. RELEASE OF FEDERAL REVERSIONARY LAND**
11 **INTERESTS.**

12 “(a) DEFINITIONS.—In this section:

13 “(1) 1932 ACT.—The ‘1932 Act’ means the Act
14 of June 18, 1932 (47 Stat. 324, chapter 270).

15 “(2) DISTRICT.—The ‘District’ means the Met-
16 ropolitan Water District of Southern California.

17 “(b) RELEASE.—Subject to valid existing claims per-
18 fected prior to the effective date of the 1932 Act and the
19 reservation of minerals set forth in the 1932 Act, the Sec-
20 retary shall release, convey, or otherwise quitclaim to the
21 District, in a form recordable in local county records, and
22 subject to the approval of the District, after consultation
23 and without monetary consideration, all right, title, and
24 remaining interest of the United States in and to the land
25 that was conveyed to the District pursuant to the 1932

1 Act or any other law authorizing conveyance subject to
2 restrictions or reversionary interests retained by the
3 United States, on request by the District.

4 “(c) TERMS AND CONDITIONS.—A conveyance au-
5 thorized by subsection (b) shall be subject to the following
6 terms and conditions:

7 “(1) The District shall cover, or reimburse the
8 Secretary for, the costs incurred by the Secretary to
9 make the conveyance, including title searches, sur-
10 veys, deed preparation, attorneys’ fees, and similar
11 expenses.

12 “(2) By accepting the conveyances, the District
13 agrees to indemnify and hold harmless the United
14 States with regard to any boundary dispute relating
15 to any parcel conveyed under this section.

16 **“SEC. 1705. DESERT TORTOISE CONSERVATION CENTER.**

17 “(a) ESTABLISHMENT.—The Secretary of the Inte-
18 rior (referred to in this section as the ‘Secretary’) shall
19 establish, operate, and maintain a bi-State center, to be
20 known as the ‘Desert Tortoise Conservation Center’ (re-
21 ferred to in this section as the ‘Center’), on public land
22 along the border between the States of California and Ne-
23 vada—

1 “(1) to support desert tortoise research, disease
2 monitoring, handling training, rehabilitation, and re-
3 introduction; and

4 “(2) to ensure the full recovery and ongoing
5 survival of the desert tortoise species.

6 “(b) REQUIREMENTS.—In carrying out subsection
7 (a), the Secretary shall—

8 “(1) seek the participation of or contract with
9 qualified nongovernmental organizations with exper-
10 tise in desert tortoise disease research and experi-
11 ence with desert tortoise translocation techniques,
12 and scientific training of professional biologists for
13 handling tortoises, to staff and manage the Center,
14 including through the use of public-private partner-
15 ships for funding and other purposes, where appro-
16 priate;

17 “(2) ensure that the Center engages in public
18 outreach and education on tortoise handling; and

19 “(3) consult with the States of California and
20 Nevada to ensure the center is operated consistently
21 with applicable State law.

22 “(c) NON-FEDERAL CONTRIBUTIONS.—The Sec-
23 retary may accept and expend contributions of non-Fed-
24 eral funds to establish, operate, and maintain the Center.

1 **“SEC. 1706. WILDLIFE CORRIDORS.**

2 “(a) IN GENERAL.—The Secretary shall—

3 “(1) assess the impacts of habitat fragmenta-
4 tion on wildlife in the Conservation Area; and

5 “(2) establish policies and procedures to ensure
6 the preservation of wildlife corridors and facilitate
7 species migration.

8 “(b) STUDY.—

9 “(1) IN GENERAL.—As soon as practicable, but
10 not later than 2 years after the date of enactment
11 of this title, the Secretary shall complete a study re-
12 garding the impact of habitat fragmentation on wild-
13 life in the Conservation Area.

14 “(2) COMPONENTS.—The study under para-
15 graph (1) shall—

16 “(A) identify the species migrating, or like-
17 ly to migrate, in the Conservation Area;

18 “(B) examine the impacts and potential
19 impacts of habitat fragmentation on—

20 “(i) plants, insects, and animals; and

21 “(ii) species migration and survival;

22 “(C) identify critical wildlife and species
23 migration corridors recommended for preserva-
24 tion; and

25 “(D) include recommendations for ensur-
26 ing the biological connectivity of public land

1 managed by the Secretary and the Secretary of
2 Defense throughout the Conservation Area.

3 “(3) RIGHTS-OF-WAY.—The Secretary shall
4 consider the information and recommendations of
5 the study under paragraph (1) to determine the in-
6 dividual and cumulative impacts of rights-of-way for
7 projects in the Conservation Area, in accordance
8 with—

9 “(A) the National Environmental Policy
10 Act of 1969 (42 U.S.C. 4321 et seq.);

11 “(B) the Endangered Species Act of 1973
12 (16 U.S.C. 1531 et seq.); and

13 “(C) any other applicable law.

14 “(c) LAND MANAGEMENT PLANS.—The Secretary
15 shall incorporate into all land management plans applica-
16 ble to the Conservation Area the findings and rec-
17 ommendations of the study completed under subsection
18 (b).”.

19 **SEC. 3. VISITOR CENTER.**

20 Title IV of the California Desert Protection Act of
21 1994 (16 U.S.C. 410aaa–21 et seq.) is amended by adding
22 at the end the following:

23 **“SEC. 408. VISITOR CENTER.**

24 “(a) IN GENERAL.—The Secretary may acquire not
25 more than 5 acres of land and interests in land, and im-

1 provements on the land and interests, outside the bound-
2 aries of Joshua Tree National Park, in the unincorporated
3 village of Joshua Tree, for the purpose of operating a vis-
4 itor center.

5 “(b) BOUNDARY.—The Secretary shall modify the
6 boundary of the park to include the land acquired under
7 this section as a noncontiguous parcel.

8 “(c) ADMINISTRATION.—Land and facilities acquired
9 under this section—

10 “(1) may include the property owned (as of the
11 date of enactment of this section) by the Joshua
12 Tree National Park Association and commonly re-
13 ferred to as the ‘Joshua Tree National Park Visitor
14 Center’;

15 “(2) shall be administered by the Secretary as
16 part of the park; and

17 “(3) may be acquired only with the consent of
18 the owner, by donation, purchase with donated or
19 appropriated funds, or exchange.”.

20 **SEC. 4. CALIFORNIA STATE SCHOOL LAND.**

21 Section 707 of the California Desert Protection Act
22 of 1994 (16 U.S.C. 410aaa–77) is amended—

23 (1) in subsection (a)—

24 (A) in the first sentence—

1 (i) by striking “Upon request of the
2 California State Lands Commission (here-
3 inafter in this section referred to as the
4 ‘Commission’), the Secretary shall enter
5 into negotiations for an agreement” and
6 inserting the following:

7 “(1) IN GENERAL.—The Secretary shall nego-
8 tiate in good faith to reach an agreement with the
9 California State Lands Commission (referred to in
10 this section as the Commission)”; and

11 (ii) by inserting “, national monu-
12 ments, off-highway vehicle recreation
13 areas,” after “more of the wilderness
14 areas”; and

15 (B) in the second sentence, by striking
16 “The Secretary shall negotiate in good faith to”
17 and inserting the following:

18 “(2) AGREEMENT.—To the maximum extent
19 practicable, not later than 10 years after the date of
20 enactment of this title, the Secretary shall”;

21 (2) in subsection (b)(1), by inserting “, national
22 monuments, off-highway vehicle recreation areas,”
23 after “wilderness areas”;

24 (3) in subsection (c), by adding at the end the
25 following:

1 “(5) SPECIAL DEPOSIT FUND ACCOUNT.—

2 “(A) IN GENERAL.—Assembled land ex-
3 changes may be used to carry out this section
4 through the sale of surplus Federal property
5 and subsequent acquisitions of State school
6 land.

7 “(B) RECEIPTS.—Past and future receipts
8 from the sale of property described in sub-
9 section (a), less any costs incurred related to
10 the sale, shall be deposited in a Special Deposit
11 Fund Account established in the Treasury.

12 “(C) USE.—Funds accumulated in the
13 Special Deposit Fund Account may be used by
14 the Secretary, without an appropriation, to ac-
15 quire State school lands or interest in the land
16 consistent with this section.”; and

17 (4) by adding at the end the following:

18 “(e) MEMORANDUM OF AGREEMENT.—

19 “(1) Any transaction completed pursuant to
20 this section prior to January 1, 2018:

21 “(A) is deemed to be in compliance with
22 the terms of the October 26, 1995, Memo-
23 randum of Agreement between the commission,
24 the general services administration, and the
25 Secretary; and

1 “(B) meets the requirements of subsection
2 (a) of this section.

3 “(2) Future transactions that satisfy the terms
4 of the October 26, 1995, Memorandum of Agree-
5 ment shall be considered to be in compliance with
6 subsection (a) of this section.”.

7 **SEC. 5. DESIGNATION OF WILD AND SCENIC RIVERS.**

8 Section 3(a) of the Wild and Scenic Rivers Act (16
9 U.S.C. 1274(a)) is amended—

10 (1) in paragraph (196), by striking subpara-
11 graph (A) and inserting the following:

12 “(A)(i) The approximately 1.4-mile seg-
13 ment of the Amargosa River in the State of
14 California, from the private property boundary
15 in sec. 19, T. 22 N., R. 7 E., to 100 feet down-
16 stream of Highway 178, to be administered by
17 the Secretary of the Interior as a scenic river
18 as an addition to the wild and scenic river seg-
19 ments of the Amargosa River on publication by
20 the Secretary of a notice in the Federal Reg-
21 ister that sufficient inholdings within the
22 boundaries of the segments have been acquired
23 as scenic easements or in fee title to establish
24 a manageable addition to those segments.

1 “(ii) The approximately 6.1-mile segment
2 of the Amargosa River in the State of Cali-
3 fornia, from 100 feet downstream of the State
4 Highway 178 crossing to 100 feet upstream of
5 the Tecopa Hot Springs Road crossing, to be
6 administered by the Secretary of the Interior as
7 a scenic river.”; and

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

9 “(213) SURPRISE CANYON CREEK, CALI-
10 FORNIA.—

11 “(A) IN GENERAL.—The following seg-
12 ments of Surprise Canyon Creek in the State of
13 California, to be administered by the Secretary
14 of the Interior:

15 “(i) The approximately 5.3 miles of
16 Surprise Canyon Creek from the con-
17 fluence of Frenchman’s Canyon and Water
18 Canyon to 100 feet upstream of Chris
19 Wicht Camp, as a wild river.

20 “(ii) The approximately 1.8 miles of
21 Surprise Canyon Creek from 100 feet up-
22 stream of Chris Wicht Camp to the south-
23 ern boundary of sec. 14, T. 21 S., R. 44
24 E., Mount Diablo Meridian, as a rec-
25 reational river.

1 “(B) EFFECT ON HISTORIC MINING STRUC-
2 TURES.—Nothing in this paragraph affects the
3 historic mining structures associated with the
4 former Panamint Mining District.

5 “(214) DEEP CREEK, CALIFORNIA.—

6 “(A) IN GENERAL.—The following seg-
7 ments of Deep Creek in the State of California,
8 to be administered by the Secretary of Agri-
9 culture:

10 “(i) The approximately 6.5-mile seg-
11 ment from 0.125 mile downstream of the
12 Rainbow Dam site in sec. 33, T. 2 N., R.
13 2 W., San Bernardino Meridian to 0.25
14 miles upstream of the Road 3N34 crossing,
15 as a wild river.

16 “(ii) The 0.5-mile segment from 0.25
17 mile upstream of the Road 3N34 crossing
18 to 0.25 mile downstream of the Road
19 3N34 crossing, as a scenic river.

20 “(iii) The 2.5-mile segment from 0.25
21 miles downstream of the Road 3 N. 34
22 crossing to 0.25 miles upstream of the
23 Trail 2W01 crossing, as a wild river.

24 “(iv) The 0.5-mile segment from 0.25
25 miles upstream of the Trail 2W01 crossing

1 to 0.25 mile downstream of the Trail
2 2W01 crossing, as a scenic river.

3 “(v) The 10-mile segment from 0.25
4 miles downstream of the Trail 2W01 cross-
5 ing to the upper limit of the Mojave dam
6 flood zone in sec. 17, T. 3 N., R. 3 W.,
7 San Bernardino Meridian, as a wild river.

8 “(vi) The 11-mile segment of Hol-
9 comb Creek from 100 yards downstream of
10 the Road 3N12 crossing to .25 miles down-
11 stream of Holcomb Crossing, as a rec-
12 reational river.

13 “(vii) The 3.5-mile segment of the
14 Holcomb Creek from 0.25 miles down-
15 stream of Holcomb Crossing to the Deep
16 Creek confluence, as a wild river.

17 “(B) EFFECT ON SKI OPERATIONS.—Noth-
18 ing in this paragraph affects—

19 “(i) the operations of the Snow Valley
20 Ski Resort; or

21 “(ii) the State regulation of water
22 rights and water quality associated with
23 the operation of the Snow Valley Ski Re-
24 sort.

1 “(215) WHITEWATER RIVER, CALIFORNIA.—

2 The following segments of the Whitewater River in
3 the State of California, to be administered by the
4 Secretary of Agriculture and the Secretary of the In-
5 terior, acting jointly:

6 “(A) The 5.8-mile segment of the North
7 Fork Whitewater River from the source of the
8 River near Mt. San Gorgonio to the confluence
9 with the Middle Fork, as a wild river.

10 “(B) The 6.4-mile segment of the Middle
11 Fork Whitewater River from the source of the
12 River to the confluence with the South Fork, as
13 a wild river.

14 “(C) The 1-mile segment of the South
15 Fork Whitewater River from the confluence of
16 the River with the East Fork to the section line
17 between sections 32 and 33, T. 1 S., R. 2 E.,
18 San Bernardino Meridian, as a wild river.

19 “(D) The 1-mile segment of the South
20 Fork Whitewater River from the section line be-
21 tween sections 32 and 33, T. 1 S., R. 2 E., San
22 Bernardino Meridian, to the section line be-
23 tween sections 33 and 34, T. 1 S., R. 2 E., San
24 Bernardino Meridian, as a recreational river.

1 “(E) The 4.9-mile segment of the South
 2 Fork Whitewater River from the section line be-
 3 tween sections 33 and 34, T. 1 S., R. 2 E., San
 4 Bernardino Meridian, to the confluence with the
 5 Middle Fork, as a wild river.

6 “(F) The 5.4-mile segment of the main
 7 stem of the Whitewater River from the con-
 8 fluence of the South and Middle Forks to the
 9 San Gorgonio Wilderness boundary, as a wild
 10 river.

11 “(G) The 3.6-mile segment of the main
 12 stem of the Whitewater River from the San
 13 Gorgonio Wilderness boundary to .25 miles up-
 14 stream of the southern boundary of section 35,
 15 T. 2 S., R. 3 E., San Bernardino Meridian, as
 16 a recreational river.”.

17 **SEC. 6. CONFORMING AMENDMENTS.**

18 (a) **SHORT TITLE.**—Section 1 of the California
 19 Desert Protection Act of 1994 (16 U.S.C. 410aaa note;
 20 Public Law 103–433) is amended by striking “1 and 2,
 21 and titles I through IX” and inserting “1, 2, and 3, titles
 22 I through IX, and titles XIII through XVII”.

23 (b) **DEFINITIONS.**—The California Desert Protection
 24 Act of 1994 (Public Law 103–433; 108 Stat. 4481) is
 25 amended by inserting after section 2 the following:

1 **“SEC. 3. DEFINITIONS.**

2 “In titles XIII through XVII:

3 “(1) CONSERVATION AREA.—The term ‘Con-
4 servation Area’ means the California Desert Con-
5 servation Area.

6 “(2) SECRETARY.—The term ‘Secretary’
7 means—

8 “(A) with respect to land under the juris-
9 diction of the Secretary of the Interior, the Sec-
10 retary of the Interior; and

11 “(B) with respect to land under the juris-
12 diction of the Secretary of Agriculture, the Sec-
13 retary of Agriculture.

14 “(3) STATE.—The term ‘State’ means the State
15 of California.”.

16 (c) ADMINISTRATION OF WILDERNESS AREAS.—Sec-
17 tion 103 of the California Desert Protection Act of 1994
18 (Public Law 103–433; 108 Stat. 4481) is amended—

19 (1) by striking subsection (d) and inserting the
20 following:

21 “(d) NO BUFFER ZONES.—

22 “(1) IN GENERAL.—Congress does not intend
23 for the designation of wilderness areas by this Act—

24 “(A) to require the additional regulation of
25 land adjacent to the wilderness areas; or

1 “(B) to lead to the creation of protective
2 perimeters or buffer zones around the wilder-
3 ness areas.

4 “(2) NONWILDERNESS ACTIVITIES.—Any non-
5 wilderness activities (including renewable energy
6 projects, energy transmission or telecommunications
7 projects, mining, and military activities) in areas im-
8 mediately adjacent to the boundary of a wilderness
9 area designated by this Act shall not be restricted or
10 precluded by this Act, regardless of any actual or
11 perceived negative impacts of the nonwilderness ac-
12 tivities on the wilderness area, including any poten-
13 tial indirect impacts of nonwilderness activities con-
14 ducted outside the designated wilderness area on the
15 viewshed, ambient noise level, or air quality of wil-
16 derness area.”;

17 (2) in subsection (f), by striking “designated by
18 this title and” and inserting “, potential wilderness
19 areas, special management areas, and national
20 monuments designated by this title or titles XIII
21 through XVII”; and

22 (3) in subsection (g), by inserting “, a potential
23 wilderness area, a special management areas, or na-
24 tional monument” before “by this Act”.

1 (d) JUNIPER FLATS.—Title VII of the California
2 Desert Protection Act of 1994 (Public Law 103–433; 108
3 Stat. 4497) is amended by adding at the end the following
4 new section:

5 **“SEC. 712. JUNIPER FLATS.**

6 “Development of renewable energy generation facili-
7 ties (excluding rights-of-way or facilities for the trans-
8 mission of energy and telecommunication facilities and in-
9 frastructure) is prohibited on the approximately 28,000
10 acres of Federal land generally depicted as ‘BLM Land
11 Unavailable for Energy Development’ on the map entitled
12 ‘Juniper Flats’ and dated April 26, 2018.”.

13 (e) CALIFORNIA MILITARY LANDS WITHDRAWAL
14 AND OVERFLIGHTS ACT OF 1994.—

15 (1) FINDINGS.—Section 801(b)(2) of the Cali-
16 fornia Military Lands Withdrawal and Overflights
17 Act of 1994 (16 U.S.C. 410aaa–82 note; Public Law
18 103–433) is amended by inserting “, special man-
19 agement areas, potential wilderness areas,” before
20 “and wilderness areas”.

21 (2) OVERFLIGHTS; SPECIAL AIRSPACE.—Section
22 802 of the California Military Lands Withdrawal
23 and Overflights Act of 1994 (16 U.S.C. 410aaa–82)
24 is amended—

1 (A) in subsection (a), by inserting “or spe-
2 cial management areas” before “designated by
3 this Act”;

4 (B) in subsection (b), by inserting “or spe-
5 cial management areas” before “designated by
6 this Act”; and

7 (C) by adding at the end the following:

8 “(d) DEPARTMENT OF DEFENSE FACILITIES.—
9 Nothing in this Act alters any authority of the Secretary
10 of Defense to conduct military operations at installations
11 and ranges within the California Desert Conservation
12 Area that are authorized under any other provision of
13 law.”.

14 (f) CLARIFICATION REGARDING FUNDING.—No addi-
15 tional funds are authorized to carry out the requirements
16 of this Act and the amendments made by this Act. Such
17 requirements shall be carried out using amounts otherwise
18 authorized.

Passed the House of Representatives June 25, 2018.

Attest:

Clerk.

115TH CONGRESS
2D Session

H. R. 857

AN ACT

To provide for conservation and enhanced recreation activities in the California Desert Conservation Area, and for other purposes.