

113TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To provide for the protection of sage-grouse habitat, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. REID (for himself and Mr. HELLER) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To provide for the protection of sage-grouse habitat, 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,*

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

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Nevada Sagebrush Landscape Conservation and Eco-  
6 nomic Development Act of 2014”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—ECONOMIC DEVELOPMENT

Sec. 101. Categorical exclusion for geothermal drilling.

## 2

- Sec. 102. Covered land conveyances.  
 Sec. 103. Sale of certain Federal land previously identified as suitable for disposal.

TITLE II—LOCAL LAND CONVEYANCES AND COMMUNITY  
 ENHANCEMENT

- Sec. 201. Conveyances to Washoe County.  
 Sec. 202. Conveyance to the City of Sparks.  
 Sec. 203. Transfer of land to be held in trust for the Reno-Sparks Indian colony.  
 Sec. 204. Transfer of land to be held in trust for the Pyramid Lake Paiute Tribe.  
 Sec. 205. Conveyances to Churchill County.  
 Sec. 206. Conveyances to Elko County.  
 Sec. 207. Conveyance of certain Federal land to the City of Carlin.  
 Sec. 208. Conveyances to Eureka County.  
 Sec. 209. Conveyances to Humboldt County.  
 Sec. 210. Conveyances to Lander County.  
 Sec. 211. Conveyances to Nye County.  
 Sec. 212. Conveyances to Pershing County.

TITLE III—SAGEBRUSH-STEPPE LANDSCAPE CONSERVATION

- Sec. 301. Additions to National Wilderness Preservation System.  
 Sec. 302. Administration.  
 Sec. 303. Wildlife management.  
 Sec. 304. Native American cultural and religious uses.  
 Sec. 305. Habitat conservation and mitigation measures.  
 Sec. 306. Interagency sage-grouse team.

TITLE IV—DISPOSITION OF PROCEEDS

- Sec. 401. Disposition of proceeds.

TITLE V—DETERMINATION OF LISTING UNDER ENDANGERED  
 SPECIES ACT OF 1973.

- Sec. 501. Determination of status.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) SECRETARY.—The term “Secretary” means  
 4 the Secretary of the Interior.

5 (2) STATE.—The term “State” means the State  
 6 of Nevada.

1                   **TITLE I—ECONOMIC**  
2                   **DEVELOPMENT**

3 **SEC. 101. CATEGORICAL EXCLUSION FOR GEOTHERMAL**  
4                   **DRILLING.**

5           Not later than 1 year after the date of enactment  
6 of this Act, the Nevada State Director of the Bureau of  
7 Land Management shall establish a new categorical exclu-  
8 sion under the National Environmental Policy Act of 1969  
9 (42 U.S.C. 4321 et seq.) for geothermal drilling activities  
10 on any Federal land in the State that were reviewed under  
11 the programmatic environmental impact statement relat-  
12 ing to the authorization of geothermal leasing completed  
13 in October 2008.

14 **SEC. 102. COVERED LAND CONVEYANCES.**

15           (a) FINDINGS.—Congress finds that the price estab-  
16 lished for the sale of covered land in subsection (c)(1)—

17                   (1) exceeds the fair market value of the covered  
18           land;

19                   (2) will support measures described in section  
20           401(c)(1); and

21                   (3) will make a substantial contribution to res-  
22           toration of sage-grouse habitat.

23           (b) DEFINITIONS.—In this section:

24                   (1) COVERED LAND.—The term “covered land”  
25           means any land or interest in land owned by the

1 United States in Elko, Eureka, Humboldt, Lander,  
2 and Nye Counties in the State, as identified on the  
3 map.

4 (2) MAP.—The term “map” means the map en-  
5 titled “Covered Lands Conveyance” and dated  
6 **【\_\_\_\_\_, 2014】**.

7 (3) QUALIFIED ENTITY.—

8 (A) IN GENERAL.—The term “qualified en-  
9 tity” means, with respect to a portion of cov-  
10 ered land, the entity that, pursuant to this Act,  
11 paid the annual claim maintenance fee or filed  
12 a maintenance fee waiver certificate on or be-  
13 fore September 3, 2013, for the upcoming as-  
14 sessment year for the mining claims, millsites,  
15 or tunnel sites within the exterior boundary of  
16 that portion of covered land.

17 (B) STATUS.—The determination of  
18 whether an entity qualifies as a qualified entity  
19 shall be determined from the claim maintenance  
20 fee records of the Bureau of Land Management  
21 as of the date of introduction of this Act.

22 (c) LAND CONVEYANCES.—

23 (1) IN GENERAL.—Subject to paragraph (2),  
24 notwithstanding the land use planning requirements  
25 of sections 201 and 202 of the Federal Land Policy

1 and Management Act of 1976 (43 U.S.C. 1711,  
2 1712), the Secretary, not later than 60 days after  
3 the date of enactment of this Act, and subject to  
4 valid existing rights held by third parties, shall offer  
5 the covered land for sale to qualified entities at a  
6 sale price of [\_\_\_\_\_].

7 (2) EXCEPTION.—In no case shall any part of  
8 the covered land be sold at a price that is less than  
9 fair market value, as determined by the Secretary.

10 (3) CONVEYANCE.—On completion of a sale for  
11 all or part of the covered land to a qualified entity,  
12 the Secretary shall convey, by delivery of an appro-  
13 priate deed to land, all right, title, and interest of  
14 the United States in and to the purchased covered  
15 land to the qualified entity.

16 (4) MERGER.—On delivery of the deed under  
17 paragraph (3), any prior interests held by the quali-  
18 fied entity under a mining claim, millsite, or tunnel  
19 site, or any other Federal land grant applicable to  
20 the purchased covered land, shall merge with all  
21 right and title interest conveyed to the qualified enti-  
22 ty by the United States under this section (subject  
23 only to valid existing rights held by third parties),  
24 such that the qualified entity shall receive fee simple  
25 title to the purchased covered land.

1           (5) COSTS.—As a condition of conveyance  
2 under this section, the qualified entity shall pay all  
3 costs related to the conveyance of the purchased cov-  
4 ered land, including the costs of surveys and other  
5 administrative costs associated with the conveyance.

6           (6) AVAILABILITY OF MAP.—The map shall be  
7 on file and available for public inspection in the ap-  
8 propriate offices of the Bureau of Land Manage-  
9 ment.

10           (7) MINOR CORRECTIONS.—The Secretary may  
11 correct minor errors in the map or description of  
12 any covered land.

13           (8) WITHDRAWAL.—

14           (A) IN GENERAL.—Subject to valid exist-  
15 ing rights and subparagraph (B), effective be-  
16 ginning on the date of enactment of this Act,  
17 the covered land is withdrawn from all forms  
18 of—

19                   (i) entry, appropriation, or disposal  
20                   (other than disposal pursuant to this Act)  
21                   under the public land laws;

22                   (ii) location, entry, and patent under  
23                   the mining laws; and

1 (iii) disposition under the mineral  
2 leasing, mineral materials, and geothermal  
3 leasing laws.

4 (B) TERMINATION.—The withdrawal  
5 under subparagraph (A) shall be terminated—

6 (i) on the date of conveyance of title  
7 of covered land to a qualified entity pursu-  
8 ant to this Act; or

9 (ii) with respect to any covered land  
10 that is not purchased by a qualified entity,  
11 not later than 1 year after the date on  
12 which the covered land was offered for sale  
13 under this Act.

14 **SEC. 103. SALE OF CERTAIN FEDERAL LAND PREVIOUSLY**  
15 **IDENTIFIED AS SUITABLE FOR DISPOSAL.**

16 (a) IN GENERAL.—Not later than 5 years after the  
17 date of enactment of this Act, the Secretary shall offer  
18 for sale a minimum of 15,000 acres of land identified for  
19 disposal in the Bureau of Land Management Resource  
20 Management Plans for each of Churchill, Elko, Eureka,  
21 Humboldt, Lander, Nye, and Pershing Counties in the  
22 State.

23 (b) RESTRICTION.—Sales of land under title II shall  
24 not be counted for purposes of meeting the minimum acre-  
25 age sale requirement described in subsection (a).

1 (c) METHOD OF SALE.—The sale of land under sub-  
2 section (a) shall be carried out—

3 (1) through a modified competitive bidding  
4 process, under which adjoining landowners are of-  
5 fered the first option; and

6 (2) for not less than fair market value.

7 (d) EXISTING RIGHTS.—The sale of land under sub-  
8 section (a) shall be subject to valid existing rights.

9 (e) REPORT.—Not later than 6 years after the date  
10 of enactment of this Act, the Secretary shall submit to  
11 the the Committee on Energy and Natural Resources of  
12 the Senate and the Committee on Natural Resources of  
13 the House of Representatives, the State, and the applica-  
14 ble counties in the State—

15 (1)(A) a list of any Federal land identified for  
16 disposal in the State that has not been sold under  
17 subsection (a); and

18 (B) the reasons the land was not sold; and

19 (2) an inventory of Federal land in the State  
20 suitable for disposal and under the administrative  
21 jurisdiction of the Secretary as of the date on which  
22 the report is submitted under this subsection.

1 **TITLE II—LOCAL LAND CONVEY-**  
2 **ANCES AND COMMUNITY EN-**  
3 **HANCEMENT**

4 **SEC. 201. CONVEYANCES TO WASHOE COUNTY.**

5 (a) DEFINITIONS.—In this section:

6 (1) COUNTY.—The term “County” means  
7 Washoe County, Nevada.

8 (2) MAP.—The term “map” means the map en-  
9 titled “Washoe County Local Land Conveyances”,  
10 dated June 18, 2014, and on file and available for  
11 public inspection in the appropriate offices of the  
12 Bureau of Land Management.

13 (3) SECRETARY.—The term “Secretary”  
14 means—

15 (A) with respect to land in the National  
16 Forest System, the Secretary of Agriculture,  
17 acting through the Chief of the Forest Service;  
18 and

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

21 (b) CONVEYANCES.—Subject to valid existing rights,  
22 the Secretary shall convey to the County, without consid-  
23 eration and subject to the use requirements described in  
24 the applicable paragraph of this subsection, all right, title,

1 and interest of the United States in and to the following  
2 land:

3 (1) Certain Federal land managed by the Bu-  
4 reau of Land Management, comprising approxi-  
5 mately 363 acres identified on the map as “Parcel  
6 #2”, for use as a motor sports complex or for any  
7 public purpose consistent with uses allowed under  
8 the Act of June 14, 1926 (commonly known as the  
9 “Recreation and Public Purposes Act”) (43 U.S.C.  
10 869 et seq.).

11 (2) Certain Federal land managed by the Bu-  
12 reau of Land Management, comprising approxi-  
13 mately 430 acres identified on the map as “Parcel  
14 #3”, for use as a recreation trail or for any public  
15 purpose consistent with uses allowed under the Act  
16 of June 14, 1926 (commonly known as the “Recre-  
17 ation and Public Purposes Act”) (43 U.S.C. 869 et  
18 seq.).

19 (3) Certain Federal land managed by the Bu-  
20 reau of Land Management, comprising approxi-  
21 mately 669 acres identified on the map as “Parcel  
22 #4”, for use as an airport buffer or for any public  
23 purpose consistent with uses allowed under the Act  
24 of June 14, 1926 (commonly known as the “Recre-

1       ation and Public Purposes Act”) (43 U.S.C. 869 et  
2       seq.).

3               (4) Certain Federal land managed by the Bu-  
4       reau of Land Management, comprising approxi-  
5       mately 169 acres identified on the map as “Parcel  
6       #5”, for use as a safety buffer for the Regional  
7       Shooting Facility or for any public purpose con-  
8       sistent with uses allowed under the Act of June 14,  
9       1926 (commonly known as the “Recreation and  
10      Public Purposes Act”) (43 U.S.C. 869 et seq.).

11              (5) Certain Federal land managed by the  
12      United States Forest Service, comprising approxi-  
13      mately 162 acres identified on the map as “Parcel  
14      #6”, for use as a recreational trail or for any public  
15      purpose consistent with the uses allowed under the  
16      Act of June 14, 1926 (commonly known as the  
17      “Recreation and Public Purposes Act”) (43 U.S.C.  
18      869 et seq.).

19              (6) Certain Federal land managed by the  
20      United States Forest Service, comprising approxi-  
21      mately 89 acres identified on the map as “Parcel  
22      #7”, for use as a park or for any public purpose  
23      consistent with the uses allowed under the Act of  
24      June 14, 1926 (commonly known as the “Recreation  
25      and Public Purposes Act”) (43 U.S.C. 869 et seq.).

1           (7) Certain Federal land managed by the Bu-  
2       reau of Land Management, comprising approxi-  
3       mately 17 acres identified on the map as “Parcel  
4       #9a” and “Parcel #9b”, for use for public recre-  
5       ation or for any public purpose consistent with the  
6       uses allowed under the Act of June 14, 1926 (com-  
7       monly known as the “Recreation and Public Pur-  
8       poses Act”) (43 U.S.C. 869 et seq.).

9       (c) ADMINISTRATIVE COSTS.—As a condition of the  
10      conveyances described in subsection (b), the County shall  
11      pay any administrative costs associated with the convey-  
12      ance.

13      (d) REVERSION.—If the Federal land or any portion  
14      of the Federal land conveyed under subsection (b) ceases  
15      to be used for the purposes described in the applicable  
16      paragraph of that subsection, the Federal land, or any  
17      portion of the Federal land, shall, at the discretion of the  
18      Secretary, revert to the United States.

19      **SEC. 202. CONVEYANCE TO THE CITY OF SPARKS.**

20      (a) DEFINITION OF CITY.—In this section, the term  
21      “City” means the City of Sparks, Nevada.

22      (b) CONVEYANCE.—Subject to valid existing rights,  
23      the Secretary shall convey to the City, without consider-  
24      ation and subject to the use requirements of subsection  
25      (c), all right, title, and interest of the United States in

1 and to the parcels of land identified on the map entitled  
2 “Washoe County Local Land Conveyances” and dated  
3 June 18, 2014 as “Parcel #8”.

4 (c) USE.—The City may use the Federal land con-  
5 veyed under subsection (b) for a cemetery or any other  
6 public purposes consistent with uses allowed under the Act  
7 of June 14, 1926 (commonly known as the “Recreation  
8 and Public Purposes Act”) (43 U.S.C. 869 et seq.).

9 (d) ADMINISTRATIVE COSTS.—As a condition of the  
10 conveyance described in subsection (b), the City of Sparks  
11 shall pay any administrative costs associated with the con-  
12 veyance.

13 (e) REVERSION.—If the Federal land or any portion  
14 of the Federal land conveyed under subsection (b) ceases  
15 to be used for the purposes identified in subsection (c),  
16 the Federal land, or any portion of the Federal land, shall,  
17 at the discretion of the Secretary, revert to the United  
18 States.

19 **SEC. 203. TRANSFER OF LAND TO BE HELD IN TRUST FOR**  
20 **THE RENO-SPARKS INDIAN COLONY.**

21 (a) DEFINITION OF MAP.—In this section, the term  
22 “map” means the map entitled “Washoe County Local  
23 Land Conveyances”, dated June 18, 2014, and on file and  
24 available for public inspection in the appropriate offices  
25 of the Bureau of Land Management.

1 (b) LAND TAKEN INTO TRUST.—Subject to valid ex-  
2 isting rights, all right, title, and interest of the United  
3 States in and to the land described in subsection (c)—

4 (1) are held in trust by the United States for  
5 the benefit of the Reno-Sparks Indian Colony; and

6 (2) shall be part of the reservation of that In-  
7 dian tribe.

8 (c) DESCRIPTION OF LAND.—The land described in  
9 subsection (b) is the approximately 13,434 acres of land  
10 administered by the Bureau of Land Management and  
11 generally depicted on the map as “Trust Land for Reno-  
12 Sparks Indian Colony”.

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

17 (e) USE OF TRUST LAND.—

18 (1) IN GENERAL.—Subject to paragraph (2),  
19 the Reno-Sparks Indian Colony shall use the land  
20 taken into trust under subsection (b) only for—

21 (A) traditional and customary uses;

22 (B) stewardship conservation for the ben-  
23 efit of the Reno-Sparks Indian Colony;

24 (C) mineral development;

1 (D) residential or recreational develop-  
2 ment; or

3 (E) renewable energy development.

4 (2) OTHER USES.—

5 (A) IN GENERAL.—If the Reno-Sparks In-  
6 dian Colony uses any portion of the land taken  
7 into trust under subsection (b) for a purpose  
8 other than a purpose described in paragraph  
9 (1), the Reno-Sparks Indian Colony shall pay to  
10 the Secretary an amount that is equal to the  
11 fair market value of the portion of the land, as  
12 determined by an appraisal under subparagraph  
13 (B).

14 (B) APPRAISAL.—The Secretary shall de-  
15 termine the fair market value of the land under  
16 subparagraph (A) based on an appraisal that is  
17 performed in accordance with—

18 (i) the Uniform Appraisal Standards  
19 for Federal Land Acquisitions developed by  
20 the Interagency Land Acquisition Con-  
21 ference;

22 (ii) the Uniform Standards of Profes-  
23 sional Appraisal Practice; and

24 (iii) any other applicable law (includ-  
25 ing regulations).

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

7           (4) THINNING; LANDSCAPE RESTORATION.—  
8           With respect to the land taken into trust under sub-  
9           section (b), the Secretary, in consultation and co-  
10          ordination with the Reno-Sparks Indian Colony, may  
11          carry out any fuels reduction and other landscape  
12          restoration activities, including restoration of sage-  
13          grouse habitat, on the land that is beneficial to the  
14          Reno-Sparks Indian Colony and the Bureau of Land  
15          Management.

16 **SEC. 204. TRANSFER OF LAND TO BE HELD IN TRUST FOR**  
17 **THE PYRAMID LAKE PAIUTE TRIBE.**

18          (a) DEFINITION OF MAP.—In this section, the term  
19 “map” means the map entitled “Washoe County Local  
20 Land Conveyances”, dated June 18, 2014, and on file and  
21 available for public inspection in the appropriate offices  
22 of the Bureau of Land Management.

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

1           (1) are held in trust by the United States for  
2           the benefit of the Pyramid Lake Paiute Tribe; and

3           (2) shall be part of the reservation of that In-  
4           dian tribe.

5           (c) DESCRIPTION OF LAND.—The land described in  
6           subsection (b) is the approximately 30,669 acres of land  
7           administered by the Bureau of Land Management and  
8           generally depicted on the map as “Trust Land for Pyr-  
9           amid Lake Paiute Tribe”.

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

14          (e) USE OF TRUST LAND.—

15               (1) IN GENERAL.—Subject to paragraph (2),  
16               the Pyramid Lake Paiute Tribe shall use the land  
17               taken into trust under subsection (b) only for—

18                       (A) traditional and customary uses;

19                       (B) stewardship conservation for the ben-  
20                       efit of the Pyramid Lake Paiute Tribe;

21                       (C) mineral development;

22                       (D) residential or recreational develop-  
23                       ment; or

24                       (E) renewable energy development.

25               (2) OTHER USES.—

1 (A) IN GENERAL.—If the Pyramid Lake  
2 Paiute Tribe uses any portion of the land taken  
3 into trust under subsection (b) for a purpose  
4 other than a purpose described in paragraph  
5 (1), the Pyramid Lake Paiute Tribe shall pay  
6 to the Secretary an amount that is equal to the  
7 fair market value of the portion of the land, as  
8 determined by an appraisal under subparagraph  
9 (B).

10 (B) APPRAISAL.—The Secretary shall de-  
11 termine the fair market value of the land under  
12 subparagraph (A) based on an appraisal that is  
13 performed in accordance with—

14 (i) the Uniform Appraisal Standards  
15 for Federal Land Acquisitions developed by  
16 the Interagency Land Acquisition Con-  
17 ference;

18 (ii) the Uniform Standards of Profes-  
19 sional Appraisal Practice; and

20 (iii) any other applicable law (includ-  
21 ing regulations).

22 (3) GAMING.—Land taken into trust under sub-  
23 section (b) shall not be eligible, or considered to  
24 have been taken into trust, for class II gaming or  
25 class III gaming (as those terms are defined in sec-

1 tion 4 of the Indian Gaming Regulatory Act (25  
2 U.S.C. 2703)).

3 (4) THINNING; LANDSCAPE RESTORATION.—  
4 With respect to the land taken into trust under sub-  
5 section (b), the Secretary, in consultation and co-  
6 ordination with the Pyramid Lake Paiute Tribe, may  
7 carry out any fuels reduction and other landscape  
8 restoration activities, including restoration of sage-  
9 grouse habitat, on the land that is beneficial to the  
10 Pyramid Lake Paiute Tribe and the Bureau of Land  
11 Management.

12 **SEC. 205. CONVEYANCES TO CHURCHILL COUNTY.**

13 **【To be determined】**

14 **SEC. 206. CONVEYANCES TO ELKO COUNTY.**

15 **【Client note: The mining industry has submitted pro-  
16 posal for consideration in this county.】**

17 **SEC. 207. CONVEYANCE OF CERTAIN FEDERAL LAND TO  
18 THE CITY OF CARLIN.**

19 (a) DEFINITIONS.—In this section:

20 (1) CITY.—The term “City” means the City of  
21 Carlin, Nevada.

22 (2) FEDERAL LAND.—The term “Federal land”  
23 means the approximately 1,329 acres of land located  
24 in the City of Carlin, Nevada, that is identified on  
25 the map as “Carlin Selected Parcels”.

1           (3) MAP.—The term “map” means the map en-  
2           titled “Proposed Carlin, Nevada Land Sales” and  
3           dated October 25, 2013.

4           (b) CONVEYANCE.—Subject to valid existing rights  
5           and the agreement of the City, and notwithstanding the  
6           land use planning requirements of sections 202 and 203  
7           of the Federal Land Policy and Management Act of 1976  
8           (43 U.S.C. 1712, 1713), the Secretary shall convey to the  
9           City, for not less than fair market value, all right, title,  
10          and interest of the United States in and to the Federal  
11          land.

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

15          (d) COSTS.—On closing for the conveyance pursuant  
16          to subsection (b), the City shall pay or reimburse the Sec-  
17          retary, as appropriate, for the reasonable transaction and  
18          administrative personnel costs associated with the convey-  
19          ance.

20          (e) RELEASE OF UNITED STATES.—Notwithstanding  
21          any other provision of law, on conveyance under subsection  
22          (b), the United States is released from any claims or liabil-  
23          ities that may arise from the presence, release, or threat  
24          of release of any hazardous substance, pollutant, contami-  
25          nant, petroleum product (or derivative of a petroleum

1 product of any kind), solid waste, mine materials, or min-  
2 ing related features (including tailings, overburden, waste  
3 rock, mill remnants, pits, or other hazards resulting from  
4 the presence of mining related features) on the Federal  
5 land in existence on or before the date of the conveyance.

6 (f) WITHDRAWAL.—Subject to valid existing rights,  
7 the Federal land shall be withdrawn from all forms of—

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

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

12 (3) disposition under the mineral leasing, min-  
13 eral materials, and geothermal leasing laws.

14 (g) DEADLINE FOR COMPLETION OF THE CONVEY-  
15 ANCE.—It is the intent of Congress that the conveyance  
16 under subsection (b) be completed by not later than 1 year  
17 after the date on which the City notifies the Secretary of  
18 the desire of the City to begin the conveyance process.

19 **SEC. 208. CONVEYANCES TO EUREKA COUNTY.**

20 *【Client note: The mining industry has submitted pro-*  
21 *posal for consideration in this county.】*

22 **SEC. 209. CONVEYANCES TO HUMBOLDT COUNTY.**

23 *【Client note: The mining industry has submitted pro-*  
24 *posal for consideration in this county.】*

1 **SEC. 210. CONVEYANCES TO LANDER COUNTY.**

2 *【Client note: The mining industry has submitted pro-*  
3 *posal for consideration in this county.】*

4 **SEC. 211. CONVEYANCES TO NYE COUNTY.**

5 *【Client note: The mining industry has submitted pro-*  
6 *posal for consideration in this county.】*

7 **SEC. 212. CONVEYANCES TO PERSHING COUNTY.**

8 *【To be determined.】*

9 **TITLE III—SAGEBRUSH-STEPPE**  
10 **LANDSCAPE CONSERVATION**

11 **SEC. 301. ADDITIONS TO NATIONAL WILDERNESS PRESER-**  
12 **VATION SYSTEM.**

13 (a) ADDITIONS.—In accordance with the Wilderness  
14 Act (16 U.S.C. 1131 et seq.), the following parcels of Fed-  
15 eral land are designated as wilderness and as components  
16 of the National Wilderness Preservation System:

17 (1) WASHOE COUNTY ADDITIONS.—

18 (A) BUFFALO HILLS WILDERNESS.—Cer-  
19 tain Federal land managed by the Bureau of  
20 Land Management, comprising approximately  
21 45,287 acres, as generally depicted on the map  
22 entitled “Washoe County Sage-Grouse Wilder-  
23 ness”, and dated June 25, 2014, which shall be  
24 known as the “Buffalo Hills Wilderness”.

25 (B) DRY VALLEY RIM WILDERNESS.—Cer-  
26 tain Federal land managed by the Bureau of

1 Land Management, comprising approximately  
2 76,177 acres, as generally depicted on the map  
3 entitled “Washoe County Sage-Grouse Wilder-  
4 ness”, and dated June 25, 2014, which shall be  
5 known as the “Dry Valley Rim Wilderness”.

6 (C) HAYS CANYON WILDERNESS.—Certain  
7 Federal land managed by the Bureau of Land  
8 Management, comprising approximately 40,701  
9 acres, as generally depicted on the map entitled  
10 “Washoe County Sage-Grouse Wilderness”, and  
11 dated June 25, 2014, which shall be known as  
12 the “Hays Canyon Wilderness”.

13 (D) MASSACRE RIM WILDERNESS.—Cer-  
14 tain Federal land managed by the Bureau of  
15 Land Management, comprising approximately  
16 101,290 acres, as generally depicted on the map  
17 entitled “Washoe County Sage-Grouse Wilder-  
18 ness”, and dated June 25, 2014, which shall be  
19 known as the “Massacre Rim Wilderness”.

20 (E) POODLE MOUNTAIN WILDERNESS.—  
21 Certain Federal land managed by the Bureau of  
22 Land Management, comprising approximately  
23 142,050 acres, as generally depicted on the map  
24 entitled “Washoe County Sage-Grouse Wilder-

1           ness”, and dated June 25, 2014, which shall be  
2           known as the “Poodle Mountain Wilderness”.

3           (F) SHELTON CONTIGUOUS WILDER-  
4           NESS.—Certain Federal land managed by the  
5           Bureau of Land Management, comprising ap-  
6           proximately 23,600 acres, as generally depicted  
7           on the map entitled “Washoe County Sage-  
8           Grouse Wilderness’””, and dated June 25,  
9           2014, which shall be known as the “Sheldon  
10          Contiguous Wilderness”.

11          (G) SHELTON NATIONAL WILDLIFE REF-  
12          UGE WILDERNESS.—Certain Federal land man-  
13          aged by the United States Fish and Wildlife  
14          Service, comprising approximately 388,772  
15          acres, as generally depicted on the map entitled  
16          “Washoe County Sage-Grouse Wilderness”, and  
17          dated June 25, 2014, which shall be known as  
18          the “Sheldon National Wildlife Refuge Wilder-  
19          ness”.

20          (H) TWIN PEAKS WILDERNESS.—Certain  
21          Federal land managed by the Bureau of Land  
22          Management, comprising approximately 65,114  
23          acres, as generally depicted on the map entitled  
24          “Washoe County Sage-Grouse Wilderness”, and

1 dated June 25, 2014, which shall be known as  
2 the “Twin Peaks Wilderness”.

3 (I) TWO HATS WILDERNESS.—Certain  
4 Federal land managed by the Bureau of Land  
5 Management, comprising approximately 33,163  
6 acres, as generally depicted on the map entitled  
7 “Washoe County Sage-Grouse Wilderness”, and  
8 dated June 25, 2014, which shall be known as  
9 the “Two Hats Wilderness”.

10 (J) WALL CANYON WILDERNESS.—Certain  
11 Federal land managed by the Bureau of Land  
12 Management, comprising approximately 46,305  
13 acres, as generally depicted on the map entitled  
14 “Washoe County Sage-Grouse Wilderness”, and  
15 dated June 25, 2014, which shall be known as  
16 the “Wall Canyon Wilderness”.

17 (2) CHURCHILL COUNTY ADDITIONS.—

18 (A) DESATOYA MOUNTAINS WILDER-  
19 NESS.—Certain Federal land managed by the  
20 Bureau of Land Management, comprising ap-  
21 proximately 51,402 acres, as generally depicted  
22 on the map entitled “Pershing, Churchill, Land-  
23 er and Eureka Counties Sage-Grouse Wilder-  
24 ness” and dated June 25, 2014, which shall be

1 known as the “Desatoya Mountains Wilder-  
2 ness”.

3 (B) JOB PEAK WILDERNESS.—Certain  
4 Federal land managed by the Bureau of Land  
5 Management, comprising approximately 90,209  
6 acres, as generally depicted on the map entitled  
7 “Pershing, Churchill, Lander and Eureka  
8 Counties Sage-Grouse Wilderness” and dated  
9 June 25, 2014, which shall be known as the  
10 “Job Peak Wilderness”.

11 (3) ELKO COUNTY ADDITIONS.—

12 (A) BAD LANDS WILDERNESS.—Certain  
13 Federal land managed by the Bureau of Land  
14 Management, comprising approximately 9,426  
15 acres, as generally depicted on the map entitled  
16 “Elko County Sage-Grouse Wilderness” and  
17 dated June 25, 2014, which shall be known as  
18 the “Bad Lands Wilderness”.

19 (B) CEDAR RIDGE WILDERNESS.—Certain  
20 Federal land managed by the Bureau of Land  
21 Management, comprising approximately 10,009  
22 acres, as generally depicted on the map entitled  
23 “Elko County Sage-Grouse Wilderness” and  
24 dated June 25, 2014, which shall be known as  
25 the “Cedar Ridge Wilderness”.

1           (C) GOSHUTE CANYON WILDERNESS.—  
2           Certain Federal land managed by the Bureau of  
3           Land Management, comprising approximately  
4           362 acres, as generally depicted on the map en-  
5           titled “Elko County Sage-Grouse Wilderness”  
6           and dated June 25, 2014, which shall be known  
7           as the “Goshute Canyon Wilderness”.

8           (D) LITTLE HUMBOLDT RIVER WILDER-  
9           NESS.—Certain Federal land managed by the  
10          Bureau of Land Management, comprising ap-  
11          proximately 42,213 acres, as generally depicted  
12          on the map entitled “Elko County Sage-Grouse  
13          Wilderness” and dated June 25, 2014, which  
14          shall be known as the “Little Humboldt River  
15          Wilderness”.

16          (E) OWYHEE CANYON WILDERNESS.—Cer-  
17          tain Federal land managed by the Bureau of  
18          Land Management, comprising approximately  
19          21,875 acres, as generally depicted on the map  
20          entitled “Elko County Sage-Grouse Wilderness”  
21          and dated June 25, 2014, which shall be known  
22          as the “Owyhee Canyon Wilderness”.

23          (F) ROUGH HILLS WILDERNESS.—Certain  
24          Federal land managed by the Bureau of Land  
25          Management, comprising approximately 6,685

1 acres, as generally depicted on the map entitled  
2 “Elko County Sage-Grouse Wilderness” and  
3 dated June 25, 2014, which shall be known as  
4 the “Rough Hills Wilderness”.

5 (G) SOUTH FORK OWYHEE RIVER WILDER-  
6 NESS.—Certain Federal land managed by the  
7 Bureau of Land Management, comprising ap-  
8 proximately 7,842 acres, as generally depicted  
9 on the map entitled “Elko County Sage-Grouse  
10 Wilderness” and dated June 25, 2014, which  
11 shall be known as the “South Fork Owyhee  
12 River Wilderness”.

13 (H) SOUTH PEQUOP WILDERNESS.—Cer-  
14 tain Federal land managed by the Bureau of  
15 Land Management, comprising approximately  
16 38,090 acres, as generally depicted on the map  
17 entitled “Elko County Sage-Grouse Wilderness”  
18 and dated June 25, 2014, which shall be known  
19 as the “South Pequop Wilderness”.

20 (4) EUREKA COUNTY ADDITIONS.—Certain  
21 Federal land managed by the Bureau of Land Man-  
22 agement, comprising approximately 15,090 acres, as  
23 generally depicted on the map entitled “Pershing,  
24 Churchill, Lander and Eureka Counties Sage-Grouse

1 Wilderness” and dated June 25, 2014, which shall  
2 be known as the “Roberts Mountain Wilderness”.

3 (5) HUMBOLDT COUNTY ADDITIONS.—

4 (A) DISASTER PEAK WILDERNESS.—Cer-  
5 tain Federal land managed by the Bureau of  
6 Land Management, comprising approximately  
7 13,200 acres, as generally depicted on the map  
8 entitled “Humboldt County Sage-Grouse Wil-  
9 derness” and dated June 25, 2014, which shall  
10 be known as the “Disaster Peak Wilderness”.

11 (B) NORTH FORK OF THE LITTLE HUM-  
12 BOLDT RIVER WILDERNESS.—Certain Federal  
13 land managed by the Bureau of Land Manage-  
14 ment, comprising approximately 69,683 acres,  
15 as generally depicted on the map entitled  
16 “Humboldt County Sage-Grouse Wilderness”  
17 and dated June 25, 2014, which shall be known  
18 as the “North Fork of the Little Humboldt  
19 River Wilderness”.

20 (6) LANDER COUNTY ADDITIONS.—Certain  
21 Federal land managed by the Bureau of Land Man-  
22 agement, comprising approximately 49,670 acres, as  
23 generally depicted on the map entitled “Pershing,  
24 Churchill, Lander and Eureka Counties Sage-Grouse

1 Wilderness” and dated June 25, 2014, which shall  
2 be known as the “Simpson Park Wilderness”.

3 (7) NYE COUNTY ADDITIONS.—

4 (A) ANTELOPE RANGE WILDERNESS.—

5 Certain Federal land managed by the Bureau of  
6 Land Management, comprising approximately  
7 87,400 acres, as generally depicted on the map  
8 entitled “Nye County Sage-Grouse Wilderness”  
9 and dated June 25, 2014, which shall be known  
10 as the “Antelope Range Wilderness”.

11 (B) FANDANGO WILDERNESS.—Certain

12 Federal land managed by the Bureau of Land  
13 Management, comprising approximately  
14 40,9401 acres, as generally depicted on the map  
15 entitled “Nye County Sage-Grouse Wilderness”  
16 and dated June 25, 2014, which shall be known  
17 as the “Fandango Wilderness”.

18 (C) KAWICH WILDERNESS.—Certain Fed-

19 eral land managed by the Bureau of Land Man-  
20 agement, comprising approximately 54,320  
21 acres, as generally depicted on the map entitled  
22 “Nye County Sage-Grouse Wilderness” and  
23 dated June 25, 2014, which shall be known as  
24 the “Kawich Wilderness”.

1 (D) MOREY PEAK WILDERNESS.—Certain  
2 Federal land managed by the Bureau of Land  
3 Management, comprising approximately 20,120  
4 acres, as generally depicted on the map entitled  
5 “Nye County Sage-Grouse Wilderness” and  
6 dated June 25, 2014, which shall be known as  
7 the “Morey Peak Wilderness”.

8 (E) PARK RANGE WILDERNESS.—Certain  
9 Federal land managed by the Bureau of Land  
10 Management, comprising approximately 47,268  
11 acres, as generally depicted on the map entitled  
12 “Nye County Sage-Grouse Wilderness” and  
13 dated June 25, 2014, which shall be known as  
14 the “Park Range Wilderness”.

15 (8) PERSHING COUNTY ADDITIONS.—

16 (A) CHINA MOUNTAIN WILDERNESS.—Cer-  
17 tain Federal land managed by the Bureau of  
18 Land Management, comprising approximately  
19 10,358 acres, as generally depicted on the map  
20 entitled “Pershing, Churchill, Lander and Eu-  
21 reka Counties Sage-Grouse Wilderness” and  
22 dated June 25, 2014, which shall be known as  
23 the “China Mountain Wilderness”.

24 (B) TOBIN RANGE WILDERNESS.—Certain  
25 Federal land managed by the Bureau of Land

1 Management, comprising approximately 13,107  
2 acres, as generally depicted on the map entitled  
3 “Pershing, Churchill, Lander and Eureka  
4 Counties Sage-Grouse Wilderness” and dated  
5 June 25, 2014, which shall be known as the  
6 “Tobin Range Wilderness”.

7 (b) BOUNDARY.—The boundary of any portion of a  
8 wilderness area designated under subsection (a) that is  
9 bordered by a road shall be 100 feet from the edge of the  
10 road.

11 (c) MAP AND LEGAL DESCRIPTION.—

12 (1) IN GENERAL.—As soon as practicable after  
13 the date of enactment of this Act, the Secretary  
14 shall file a map and legal description of each wilder-  
15 ness area designated by subsection (a).

16 (2) EFFECT.—Each map and legal description  
17 prepared under paragraph (1) shall have the same  
18 force and effect as if included in this Act, except  
19 that the Secretary may correct any clerical or typo-  
20 graphical error in such a map or legal description.

21 (3) AVAILABILITY.—Each map and legal de-  
22 scription prepared under paragraph (1) shall be on  
23 file and available for public inspection in the appro-  
24 priate offices of the Bureau of Land Management.

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

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

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

8 (3) disposition under all laws relating to min-  
9 eral and geothermal leasing or mineral materials.

10 **SEC. 302. ADMINISTRATION.**

11 (a) MANAGEMENT.—Subject to valid existing rights,  
12 each area designated as wilderness by section 301(a) shall  
13 be administered by the Secretary in accordance with the  
14 Wilderness Act (16 U.S.C. 1131 et seq.), except that—

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

18 (2) any reference in that Act to the Secretary  
19 of Agriculture shall be considered to be a reference  
20 to the Secretary.

21 (b) LIVESTOCK.—

22 (1) IN GENERAL.—Any grazing of livestock in  
23 a wilderness area designated by section 301(a) that  
24 commenced before the date of enactment of this Act  
25 shall be allowed to continue, subject to such reason-

1       able regulations, policies, and practices as the Sec-  
2       retary considers to be necessary if those regulations,  
3       policies, and practices are applied uniformly on a  
4       range-wide level.

5               (2) RESTRICTIONS.—Any regulations, policies,  
6       or practices issued by the Secretary pursuant to  
7       paragraph (1) shall be in accordance with—

8                       (A) section 4(d)(4) of the Wilderness Act  
9                       (16 U.S.C. 1133(d)(4)); and

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

15       (c) ADJACENT MANAGEMENT.—

16               (1) SENSE OF CONGRESS REGARDING EFFECT  
17       OF DESIGNATION.—It is the sense of Congress that  
18       the designation of a wilderness area by section  
19       301(a) should not establish any protective perimeter  
20       or buffer zone around the wilderness area.

21               (2) NONWILDERNESS ACTIVITIES.—The fact  
22       that nonwilderness activities or uses can be seen or  
23       heard from areas within a wilderness area des-  
24       ignated by section 201(a) shall not preclude the con-

1 duct of those activities or uses outside the boundary  
2 of the wilderness area.

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

5 (1) low-level overflights of military aircraft over  
6 any wilderness area designated by section 301(a), in-  
7 cluding military overflights that can be seen or  
8 heard within the wilderness area;

9 (2) flight testing and evaluation; or

10 (3) the designation or establishment of a new  
11 unit of special use airspace, or the establishment of  
12 a military flight training route, over the wilderness  
13 area.

14 (e) WILDFIRE, INSECT, AND DISEASE MANAGE-  
15 MENT.—In accordance with section 4(d)(1) of the Wilder-  
16 ness Act (16 U.S.C. 1133(d)(1)), the Secretary shall carry  
17 out such measures in a wilderness area designated by sec-  
18 tion 301(a) as are necessary for the control of fire, insects,  
19 and diseases (including, as the Secretary determines to be  
20 appropriate, the coordination of the activities with a State  
21 or local agency).

22 (f) WILDFIRE MANAGEMENT OPERATIONS.—Nothing  
23 in this Act—

24 (1) precludes a Federal, State, or local agency  
25 from conducting wildfire management or prevention

1 operations (including operations using aircraft or  
2 mechanized equipment); or

3 (2) interferes with the authority of the Sec-  
4 retary to authorize the use of mechanized equipment  
5 for wildfire prevention and suppression.

6 (g) CLIMATOLOGICAL DATA COLLECTION.—In ac-  
7 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.)  
8 and subject to such terms and conditions as the Secretary  
9 may prescribe, the Secretary may authorize the installa-  
10 tion and maintenance of hydrologic, meteorologic, or cli-  
11 matological collection devices in a wilderness area des-  
12 ignated by section 301(a) if the Secretary determines that  
13 the facilities and access to the facilities are essential to  
14 flood warning, flood control, or water reservoir operation  
15 activities.

16 (h) WATER RIGHTS.—

17 (1) FINDINGS.—Congress finds that the land  
18 designated as wilderness by section 301(a)—

19 (A) is located—

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

22 (ii) at the headwaters of the streams  
23 and rivers on land with respect to which  
24 there exist few, if any—

1 (I) actual or proposed water re-  
2 source facilities located upstream; or

3 (II) opportunities for diversion,  
4 storage, or other uses of water occur-  
5 ring outside the land that would ad-  
6 versely affect the wilderness values of  
7 the land;

8 (B) is generally not suitable for use or de-  
9 velopment of new water resource facilities; and

10 (C) possesses a unique nature such that it  
11 is possible to provide for proper management  
12 and protection of the wilderness and other val-  
13 ues of land by means different from the means  
14 used in other laws.

15 (2) PURPOSE.—The purpose of this subsection  
16 is to protect the wilderness values of the land des-  
17 igned as wilderness by section 301(a) by means  
18 other than a federally reserved water right.

19 (3) STATUTORY CONSTRUCTION.—Nothing in  
20 this Act—

21 (A) constitutes an express or implied res-  
22 ervation by the United States of any water or  
23 water rights with respect to a wilderness area  
24 designated by section 301(a);

1 (B) affects any water rights in the State  
2 (including any water rights held by the United  
3 States) in existence on the date of enactment of  
4 this Act;

5 (C) establishes a precedent with regard to  
6 any future wilderness designation;

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

9 (E) limits, alters, modifies, or amends any  
10 interstate compact or equitable apportionment  
11 decree that apportions water among and be-  
12 tween the State and any other State.

13 (4) NEVADA WATER LAW.—The Secretary shall  
14 follow the procedural and substantive requirements  
15 of the law of the State in order to obtain and hold  
16 any water rights not in existence on the date of en-  
17 actment of this Act with respect to a wilderness area  
18 designated by section 301(a).

19 (5) NEW PROJECTS.—

20 (A) DEFINITION OF WATER RESOURCE FA-  
21 CILITY.—

22 (i) IN GENERAL.—In this paragraph,  
23 the term “water resource facility” means—

24 (I) an irrigation and pumping fa-  
25 cility;

- 1 (II) a reservoir;  
2 (III) a water conservation works;  
3 (IV) an aqueduct;  
4 (V) a canal;  
5 (VI) a ditch;  
6 (VII) a pipeline;  
7 (VIII) a well;  
8 (IX) a hydropower project;  
9 (X) a transmission or other ancil-  
10 lary facility; and  
11 (XI) any other water diversion,  
12 storage, and carriage structure.

13 (ii) EXCLUSION.—The term “water  
14 resource facility” does not include a wild-  
15 life guzzler.

16 (B) RESTRICTION ON NEW WATER RE-  
17 SOURCE FACILITIES.—Except as otherwise pro-  
18 vided in this Act, on and after the date of en-  
19 actment of this Act, neither the President nor  
20 any other officer, employee, or agent of the  
21 United States shall fund, assist, authorize, or  
22 issue a license or permit for the development of  
23 any new water resource facility within any wil-  
24 derness areas designated by this Act.

1 **SEC. 303. WILDLIFE MANAGEMENT.**

2 (a) IN GENERAL.—In accordance with section  
3 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),  
4 nothing in this Act affects or diminishes the jurisdiction  
5 of the State with respect to fish and wildlife management,  
6 including the regulation of hunting, fishing, and trapping,  
7 in a wilderness area designated by section 301(a).

8 (b) MANAGEMENT ACTIVITIES.—In support of the  
9 purposes and principles of the Wilderness Act (16 U.S.C.  
10 1131 et seq.), the Secretary may conduct any management  
11 activity in a wilderness area designated by section 301(a)  
12 that is necessary to maintain or restore fish and wildlife  
13 populations and the habitats to support those populations,  
14 including the population and habitat of sage-grouse, if the  
15 activity is carried out—

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

18 (2) in accordance with—

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

21 (B) appropriate policies, such as those set  
22 forth in Appendix B of the report of the Com-  
23 mittee on Interior and Insular Affairs of the  
24 House of Representatives accompanying H.R.  
25 2570 of the 101st Congress (House Report  
26 101–405), including the occasional and tem-

1           porary use of motorized vehicles if the use, as  
2           determined by the Secretary, would promote  
3           healthy, viable, and more naturally distributed  
4           wildlife populations that would enhance wilder-  
5           ness values with the minimal impact necessary  
6           to reasonably accomplish 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 the Committee on Interior and In-  
11          sular Affairs of the House of Representatives accom-  
12          panying H.R. 2570 of the 101st Congress (House Report  
13          101–405), the State may continue to use aircraft, includ-  
14          ing helicopters, to survey, capture, transplant, monitor,  
15          and provide water for wildlife populations, specifically  
16          sage-grouse, in any wilderness area designated by section  
17          301(a).

18          (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—  
19          Subject to subsection (f), the Secretary shall authorize  
20          structures and facilities, including existing structures and  
21          facilities, for wildlife water development projects, including  
22          guzzlers, in the wilderness areas designated by section  
23          301(a) if—

24                  (1) the structures and facilities will, as deter-  
25          mined by the Secretary, enhance wilderness values

1 by promoting healthy, viable, and more naturally  
2 distributed wildlife populations; and

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

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

7 (1) IN GENERAL.—The Secretary may des-  
8 ignate areas in which, and establish periods during  
9 which, for reasons of public safety, administration,  
10 or compliance with applicable laws, no hunting, fish-  
11 ing, or trapping will be permitted in the wilderness  
12 areas designated by section 301(a).

13 (2) CONSULTATION.—Except in an emergency  
14 situation, before taking any action under paragraph  
15 (1), the Secretary shall—

16 (A) consult with the appropriate agency of  
17 the State; and

18 (B) notify the public.

19 (f) COOPERATIVE AGREEMENT.—

20 (1) IN GENERAL.—The State, including a des-  
21 ignee of the State, may conduct wildlife management  
22 activities in the wilderness areas designated by sec-  
23 tion 301(a)—

24 (A) in accordance with the terms and con-  
25 ditions specified in the cooperative agreement

1           between the Secretary and the State entitled  
2           “Memorandum of Understanding between the  
3           Bureau of Land Management and the Nevada  
4           Department of Wildlife Supplement No. 9”, and  
5           signed November and December 2003, includ-  
6           ing any amendments to the cooperative agree-  
7           ment agreed to by the Secretary and the State;  
8           and

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

11           (2) REFERENCES TO CLARK COUNTY.—For the  
12           purposes of this subsection, any references to Clark  
13           County in the cooperative agreement described in  
14           paragraph (1)(A) shall be considered to be a ref-  
15           erence to the applicable wilderness.

16 **SEC. 304. NATIVE AMERICAN CULTURAL AND RELIGIOUS**  
17                       **USES.**

18           Nothing in this Act alters or diminishes the treaty  
19           rights of any Indian tribe (as defined in section 4 of the  
20           Indian Self-Determination and Education Assistance Act  
21           (25 U.S.C. 450b)).

22 **SEC. 305. HABITAT CONSERVATION AND MITIGATION MEAS-**  
23                       **URES.**

24           (a) DEFINITION OF DEVELOPMENT.—In this section,  
25           the term “development” means surface disturbance of

1 public land pursuant to Federal approval of a new lease,  
2 right-of-way, development plan, plan of operations, or  
3 other similar authorization.

4 (b) IN GENERAL.—The Secretary shall manage de-  
5 velopment on land identified on the map entitled  
6 [ \_\_\_\_\_ ], and dated [ \_\_\_\_\_ ], as “Pri-  
7 ority Sage-Grouse Habitat” and “General Sage-Grouse  
8 Habitat” to conserve habitat in accordance with this sec-  
9 tion.

10 (c) CONSERVATION MEASURES.—

11 (1) HABITAT RESTORATION.—Not later than 1  
12 year after the date of enactment of this Act, the  
13 Secretary shall—

14 (A) identify lands within the Priority Sage-  
15 Grouse Habitat and General Sage-Grouse Habi-  
16 tat in need of Pinyon-Juniper thinning and re-  
17 moval; and

18 (B) in accordance with the National Envi-  
19 ronmental Policy Act of 1969 (42 U.S.C. 4321  
20 et seq.), complete an environmental assessment  
21 for the work described in subparagraph (A).

22 (2) WILD HORSE AND BURRO MANAGEMENT.—  
23 The Secretary shall manage all Herd Management  
24 Areas within the Priority Sage-Grouse Habitat and

1 General Sage-Grouse Habitat at Appropriate Man-  
2 agement Levels.

3 (d) MITIGATION MEASURES.—In making develop-  
4 ment decisions under subsection (a), the Secretary shall  
5 include measures to mitigate development on Priority  
6 Sage-Grouse Habitat and General Sage-Grouse Habitat,  
7 including measures for—

8 (1) habitat conservation plans or similar plans  
9 approved by the Secretary;

10 (2) habitat mitigation plans;

11 (3) investment in habitat mitigation banks; or

12 (4) conservation fees not to exceed \$750 per  
13 acre of surface disturbance.

14 (e) EXCEPTION.—Subsection (d) shall not apply to—

15 (1) any development authorized—

16 (A) prior to the date of enactment of this  
17 Act; or

18 (B) after the date of enactment of this Act  
19 that is subject to a sage-grouse habitat con-  
20 servation plan approved by the Secretary; or

21 (2) reauthorization of any valid existing rights  
22 in existence on the date of enactment of this Act.

23 (f) DISPOSITION OF PROCEEDS.—Any amounts col-  
24 lected under this section shall be disposed of in accordance  
25 with section 401(c).

1 **SEC. 306. INTERAGENCY SAGE-GROUSE TEAM.**

2 Not later than 180 days after the date of enactment  
3 of this Act, the Nevada State Director of the Bureau of  
4 Land Management, the Nevada State Supervisor of the  
5 United States Fish and Wildlife Service, and the Forest  
6 Supervisor of the Humboldt-Toiyabe National Forest shall  
7 determine whether to establish an interagency sage-grouse  
8 team, to be composed of resource specialists within the  
9 respective agencies to coordinate and implement protec-  
10 tion and restoration of sage-grouse habitat in the State.

11 **TITLE IV—DISPOSITION OF**  
12 **PROCEEDS**

13 **SEC. 401. DISPOSITION OF PROCEEDS.**

14 (a) ESTABLISHMENT OF SPECIAL ACCOUNT.—There  
15 is established in the Treasury of the United States an ac-  
16 count (referred to in this section as the “special account”),  
17 to be available without fiscal year limitation and not sub-  
18 ject to appropriation, for use in accordance with this sec-  
19 tion.

20 (b) PROCEEDS FROM LAND SALES AND CONSERVA-  
21 TION FEES.—Of the gross proceeds from sales of land  
22 conducted, and conservation fees assessed, under this Act  
23 for each fiscal year—

24 (1) 15 percent shall be paid directly to the  
25 State for use in the sagebrush conservation credit  
26 system plan of the State; and

1           (2) the remainder shall be deposited in the spe-  
2           cial account.

3           (c) AVAILABILITY OF SPECIAL ACCOUNT.—

4           (1) IN GENERAL.—Amounts deposited in the  
5           special account may be used by the Secretary within  
6           the State for—

7                   (A) ecological restoration of sage-grouse  
8                   habitat within the State, including the removal  
9                   and control of invasive and nonnative species,  
10                  removal and control of cheatgrass, removal and  
11                  control of Pinyon-Juniper, and sagebrush res-  
12                  toration and reclamation;

13                  (B) fire presuppression efforts in sage-  
14                  grouse habitat within the State;

15                  (C) implementation of currently accepted  
16                  proper grazing practices and livestock manage-  
17                  ment;

18                  (D) science-based sage-grouse predator  
19                  control;

20                  (E) public-private partnerships for sage-  
21                  grouse conservation on private land; and

22                  (F) pilot projects determining best prac-  
23                  tices in the categories described in subpara-  
24                  graphs (A) through (D).

1           (2) PROCEDURES.—The Secretary shall coordi-  
2           nate the use of the special account with the Sec-  
3           retary of Agriculture, the State (through the Nevada  
4           Sagebrush Ecosystem Council), local governments,  
5           and other interested individuals and entities to en-  
6           sure accountability and demonstrated results .

7           (3) LIMITATION.—Not more than \$25,000,000  
8           of the amounts made available to the Secretary from  
9           the special account may be used in any fiscal year,  
10          except for emergency projects carried out under  
11          paragraph (1).

12          (4) INVESTMENT OF SPECIAL ACCOUNT.—

13                (A) IN GENERAL.—All amounts deposited  
14                as principal in the special account shall earn in-  
15                terest in the amount determined by the Sec-  
16                retary of the Treasury on the basis of the cur-  
17                rent average market yield on outstanding mar-  
18                ketable obligations of the United States of com-  
19                parable maturities.

20                (B) TREATMENT OF INTEREST.—The in-  
21                terest shall be—

22                       (i) added to the principal of the spe-  
23                       cial account; and

24                       (ii) expended in accordance with para-  
25                       graph (1).

1 (d) ANNUAL REPORTS.—

2 (1) IN GENERAL.—Not later than 60 days after  
3 the end of each fiscal year beginning with fiscal year  
4 2014, the Secretary shall submit to the Committee  
5 on Appropriations of the House of Representatives,  
6 the Committee on Appropriations of the Senate, and  
7 the appropriate authorizing committees a report on  
8 the operation of the special account during the fiscal  
9 year.

10 (2) CONTENTS.—Each report shall include, for  
11 the fiscal year covered by the report, the following:

12 (A) A statement of the amounts deposited  
13 into the special account.

14 (B) A description of the expenditures made  
15 from the special account for the fiscal year, in-  
16 cluding the purpose of the expenditures.

17 (C) Recommendations for additional au-  
18 thorities to fulfill the purpose of the special ac-  
19 count.

20 (D) A statement of the balance remaining  
21 in the special account at the end of the fiscal  
22 year.

1 **TITLE V—DETERMINATION OF**  
2 **LISTING UNDER ENDAN-**  
3 **GERED SPECIES ACT OF 1973.**

4 **SEC. 501. DETERMINATION OF STATUS.**

5 Prior to any determination under the Endangered  
6 Species Act of 1973 (16 U.S.C. 1531 et seq.) as to wheth-  
7 er the Greater sage-grouse is an endangered species or a  
8 threatened species in all or any portion of Washoe, Hum-  
9 boldt, Pershing, Churchill, Lander, Eureka, Elko, Nye,  
10 Lincoln and White Pine Counties in the State, the Sec-  
11 retary shall take into account the efforts and conservation  
12 practices provided for in this Act.