

111TH CONGRESS  
2D SESSION

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

To designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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\_\_\_\_\_ introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

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**A BILL**

To designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, 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.**

4 This Act may be cited as the “Omnibus Public Land  
5 Management Act of 2010”.

1 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**  
2 **CONTENTS.**

3 (a) DIVISIONS.—This Act is organized into the fol-  
4 lowing divisions:

5 (1) Division A—National Park Service Author-  
6 izations.

7 (2) Division B—National Wilderness Preserva-  
8 tion System.

9 (3) Division C—Forest Service Authorizations.

10 (4) Division D—Department of the Interior Au-  
11 thorizations.

12 (5) Division E—National Heritage Areas.

13 (6) Division F—Bureau of Land Management  
14 Authorizations.

15 (7) Division G—Rivers and Trails.

16 (8) Division H—Water and Hydropower Author-  
17 izations.

18 (9) Division I—Insular Areas.

19 (10) Division J—Insular Areas.

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

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—NATIONAL PARK SERVICE AUTHORIZATIONS

TITLE I—ADDITIONS TO THE NATIONAL PARK SYSTEM

Subtitle A—Valles Caldera National Preserve

Sec. 101. Definitions.

Sec. 102. Valles Caldera National Preserve.

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- Sec. 103. Transfer of administrative jurisdiction.
- Sec. 104. Repeal of Valles Caldera Preservation Act.
- Sec. 105. Authorization of appropriations.

Subtitle B—Waco Mammoth National Monument

- Sec. 111. Findings.
- Sec. 112. Definitions.
- Sec. 113. Waco Mammoth National Monument, Texas.
- Sec. 114. Administration of National Monument.
- Sec. 115. Acquisition of property and boundary management.
- Sec. 116. Construction of facilities on non-Federal lands.
- Sec. 117. General management plan.

TITLE II—EXISTING UNITS OF THE NATIONAL PARK SYSTEM

Subtitle A—Oregon Caves National Monument Expansion

- Sec. 201. Definitions.
- Sec. 202. Designations; land transfer; boundary adjustment.
- Sec. 203. Administration.
- Sec. 204. Voluntary grazing lease or permit donation program.
- Sec. 205. Wild and scenic river designations.

Subtitle B—Longfellow House-Washington Headquarters Redesignation

- Sec. 211. Redesignation of Longfellow National Historic Site, Massachusetts.

Subtitle C—Minuteman Missile National Historic Site Boundary Modification

- Sec. 221. Boundary modification.

Subtitle D—Indiana Dunes National Lakeshore Visitor Center

- Sec. 231. Dorothy Buell Memorial Visitor Center.
- Sec. 232. Indiana Dunes National Lakeshore.

Subtitle E—North Cascades National Park Fish Stocking

- Sec. 241. Definitions.
- Sec. 242. Stocking of certain lakes in the North Cascades National Park Service Complex.

Subtitle F—Petersburg National Battlefield Boundary Modification

- Sec. 251. Boundary modification.
- Sec. 252. Administrative jurisdiction transfer.

Subtitle G—Gettysburg National Battlefield Boundary Modification

- Sec. 261. Gettysburg National Military Park boundary revision.
- Sec. 262. Acquisition and disposal of land.

Subtitle H—Cane River National Historical Park Curatorial Center

- Sec. 271. Collections conservation center.
- Sec. 272. Technical corrections.

TITLE III—SPECIAL RESOURCE STUDIES

## 4

- Sec. 301. New Philadelphia, Illinois.
- Sec. 302. George C. Marshall Home, Virginia.
- Sec. 303. Heart Mountain Relocation Center, Wyoming.
- Sec. 304. Colonel Charles Young Home, Ohio.
- Sec. 305. United States Civil Rights Trail.
- Sec. 306. Camp Hale, Colorado.

## TITLE IV—BLACK REVOLUTIONARY WAR PATRIOTS MEMORIAL

- Sec. 401. Finding.
- Sec. 402. Definitions.
- Sec. 403. Memorial authorization.
- Sec. 404. Repeal of joint resolutions.

## TITLE V—GENERAL AUTHORITIES

Subtitle A—Revolutionary War and War of 1812 American Battlefield  
Funding

- Sec. 501. Revolutionary War and War of 1812 American Battlefield protection.

## Subtitle B—National Park Service Miscellaneous Authorizations

- Sec. 511. National Park System authorities.
- Sec. 512. Pearl Harbor ticketing.
- Sec. 513. Changes to National Park units.
- Sec. 514. Technical corrections.

## DIVISION B—NATIONAL WILDERNESS PRESERVATION SYSTEM

## TITLE XX—ORGAN MOUNTAINS-DESERT PEAKS WILDERNESS

- Sec. 2001. Definitions.
- Sec. 2002. Designation of wilderness areas.
- Sec. 2003. Establishment of National Conservation Areas.
- Sec. 2004. General provisions.
- Sec. 2005. Prehistoric Trackways National Monument Boundary adjustment.
- Sec. 2006. Border security.
- Sec. 2007. Authorization of appropriations.

## TITLE XXI—ALPINE LAKES WILDERNESS ADDITIONS

- Sec. 2101. Expansion of Alpine Lakes Wilderness.
- Sec. 2102. Wild and Scenic River designations.

## TITLE XXII—DEVIL'S STAIRCASE WILDERNESS

- Sec. 2201. Definitions.
- Sec. 2202. Devil's Staircase Wilderness, Oregon.
- Sec. 2203. Wild and Scenic River designations, Wasson Creek and Franklin Creek, Oregon.

## TITLE XXIII—IDAHO WILDERNESS WATER FACILITIES

- Sec. 2301. Treatment of existing water diversions in Frank Church-River of No Return Wilderness and Selway-Bitterroot Wilderness, Idaho.

## DIVISION C—FOREST SERVICE AUTHORIZATIONS

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TITLE XXX—CHIMNEY ROCK NATIONAL MONUMENT  
AUTHORIZATION

- Sec. 3001. Definitions.
- Sec. 3002. Establishment of chimney rock national monument.
- Sec. 3003. Administration.
- Sec. 3004. Management plan.
- Sec. 3005. Land acquisition.
- Sec. 3006. Withdrawal.
- Sec. 3007. Effect.
- Sec. 3008. Authorization of appropriations.

TITLE XXXI—NORTH FORK FLATHEAD RIVER WATERSHED  
PROTECTION

- Sec. 3101. Definitions.
- Sec. 3102. Withdrawal.

## TITLE XXXII—LAND CONVEYANCES AND EXCHANGES

## Subtitle A—Sugar Loaf Fire District Land Exchange

- Sec. 3201. Definitions.
- Sec. 3202. Land exchange.

## Subtitle B—Wasatch-Cache National Forest Land Conveyance

- Sec. 3211. Definitions.
- Sec. 3212. Conveyance of Federal land to Alta, Utah.

## Subtitle C—Los Padres National Forest Land Exchange

- Sec. 3221. Definitions.
- Sec. 3222. Land exchange.

## Subtitle D—Box Elder Land Conveyance

- Sec. 3231. Conveyance of certain lands to Mantua, Box Elder, Utah.

## Subtitle E—Deafy Glade Land Exchange

- Sec. 3241. Land exchange, Mendocino National Forest, California.

## Subtitle F—Wallowa Forest Service Compound Conveyance

- Sec. 3251. Conveyance to city of Wallowa, Oregon.

## TITLE XXXIII—GENERAL AUTHORIZATIONS

## Subtitle A—Ski Areas Summer Uses

- Sec. 3301. Purpose.
- Sec. 3302. Ski area permits.
- Sec. 3303. Effect.

## Subtitle B—National Forest Insect and Disease Authorities

- Sec. 3311. Purposes.
- Sec. 3312. Definitions.
- Sec. 3313. Designation of areas.

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- Sec. 3314. Support for restoration and response.
- Sec. 3315. Authorization of appropriations.

## Subtitle C—Good Neighbor Authority

- Sec. 3321. Good neighbor agreements.

## Subtitle D—Federal Land Avalanche Protection Program

- Sec. 3331. Definitions.
- Sec. 3332. Avalanche protection program.

## DIVISION D—DEPARTMENT OF THE INTERIOR AUTHORIZATIONS

TITLE XL—FEDERAL LAND TRANSACTION FACILITATION ACT  
REAUTHORIZATION

- Sec. 4001. Reauthorization.

## TITLE XLI—NATIONAL VOLCANO EARLY WARNING PROGRAM

- Sec. 4101. Definitions.
- Sec. 4102. National volcano early warning and monitoring program.
- Sec. 4103. Management.
- Sec. 4104. Authorization of appropriations.

## TITLE XLII—UPPER CONNECTICUT RIVER WATERSHED

- Sec. 4201. Definitions.
- Sec. 4202. Connecticut River grants and technical assistance program.
- Sec. 4203. Authorization of appropriations.
- Sec. 4204. Termination of authority.

## TITLE XLIII—ABANDONED MINE RECLAMATION PAYMENTS

- Sec. 4301. Abandoned mine reclamation.

## TITLE XLIV—PUBLIC LANDS SERVICE CORPS AMENDMENTS

- Sec. 4401. Amendment to short title.
- Sec. 4402. References.
- Sec. 4403. Amendments to the Public Lands Service Corps Act of 1993.

## TITLE XLV—PATENT MODIFICATIONS AND VALIDATIONS

- Sec. 4501. Whitefish Lighthouse patent modification, Michigan.
- Sec. 4502. Coyote Springs patent validation.

## DIVISION E—NATIONAL HERITAGE AREAS

## TITLE L—SUSQUEHANNA GATEWAY NATIONAL HERITAGE AREA

- Sec. 5001. Definitions.
- Sec. 5002. Susquehanna Gateway National Heritage Area.
- Sec. 5003. Designation of local coordinating entity.
- Sec. 5004. Management plan.
- Sec. 5005. Relationship to other Federal agencies.
- Sec. 5006. Private property and regulatory protections.
- Sec. 5007. Evaluation; report.
- Sec. 5008. Authorization of appropriations.

Sec. 5009. Termination of authority.

TITLE LI—ALABAMA BLACK BELT NATIONAL HERITAGE AREA

- Sec. 5101. Definitions.
- Sec. 5102. Designation of Alabama Black Belt National Heritage Area.
- Sec. 5103. Local coordinating entity.
- Sec. 5104. Management plan.
- Sec. 5105. Evaluation; report.
- Sec. 5106. Relationship to other Federal agencies.
- Sec. 5107. Private property and regulatory protections.
- Sec. 5108. Authorization of appropriations.
- Sec. 5109. Use of Federal funds from other sources.
- Sec. 5110. Termination of financial assistance.

DIVISION F—BUREAU OF LAND MANAGEMENT AUTHORIZATIONS

TITLE LX—NATIONAL CONSERVATION AREAS AND HISTORIC SITES

Subtitle A—Río Grande Del Norte National Conservation Area

- Sec. 6001. Definitions.
- Sec. 6002. Establishment of National Conservation Area.
- Sec. 6003. Designation of wilderness areas.
- Sec. 6004. General provisions.
- Sec. 6005. Authorization of appropriations.

Subtitle B—Gold Hill Ranch, California

- Sec. 6011. Definitions.
- Sec. 6012. Gold Hill Ranch.
- Sec. 6013. Authorization of appropriations.

Subtitle C—Orange County, California

- Sec. 6021. Preservation of rocks and small islands along the coast of Orange County, California.

TITLE LXI—LAND CONVEYANCES AND EXCHANGES

Subtitle A—Southeast Arizona Land Exchange

- Sec. 6101. Definitions.
- Sec. 6102. Land exchange.
- Sec. 6103. Conveyance and management of non-Federal land.
- Sec. 6104. Recreational access and improvements.
- Sec. 6105. Value adjustment payment to United States.
- Sec. 6106. Withdrawal.
- Sec. 6107. Apache Leap.
- Sec. 6108. Conveyances to Town of Superior, Arizona.

Subtitle B—Salmon Lake Land Selection Resolution

- Sec. 6111. Purpose.
- Sec. 6112. Definitions.
- Sec. 6113. Ratification and implementation of agreement.

Subtitle C—Southern Nevada Higher Education Land Conveyance

- Sec. 6121. Definitions.
- Sec. 6122. Conveyances of Federal land to the System.
- Sec. 6123. Authorization of appropriations.

Subtitle D—La Pine, Oregon, Land Conveyance

- Sec. 6131. Definitions.
- Sec. 6132. Conveyances of land.

TITLE LXII—SLOAN HILLS MINERAL WITHDRAWAL

- Sec. 6201. Withdrawal of Sloan Hills Area of Clark County, Nevada.

DIVISION G—RIVERS AND TRAILS

TITLE LXX—NATIONAL WILD AND SCENIC RIVERS SYSTEM  
AMENDMENTS

- Sec. 7001. Molalla River, Oregon.
- Sec. 7002. Illabot Creek, Washington.
- Sec. 7003. White Clay Creek.
- Sec. 7004. Elk River, West Virginia.

TITLE LXXI—NATIONAL TRAIL SYSTEM AMENDMENTS

- Sec. 7101. North Country National Scenic Trail Route adjustment.

DIVISION H—WATER AND HYDROPOWER AUTHORIZATIONS

TITLE LXXX—BUREAU OF RECLAMATION PROJECT  
AUTHORIZATIONS

- Sec. 8001. Magna Water District.
- Sec. 8002. Bay Area regional water recycling program.
- Sec. 8003. Calleguas water project.
- Sec. 8004. Hermiston, Oregon, water recycling and reuse project.
- Sec. 8005. Central Valley Project water transfers.
- Sec. 8006. Land withdrawal and reservation for Cragin Project.
- Sec. 8007. Leadville Mine Drainage Tunnel.
- Sec. 8008. Reauthorization of base funding for fish recovery programs.

TITLE LXXXI—HYDROPOWER

- Sec. 8101. American Falls Reservoir hydro license extension.
- Sec. 8102. Little Wood River Ranch hydro license extension.
- Sec. 8103. Bonneville Unit hydropower.
- Sec. 8104. Hoover power plant allocation.

TITLE LXXXII—MISCELLANEOUS

- Sec. 8201. Uintah Water Conservancy District prepayment.
- Sec. 8202. Tule River Tribe water development.
- Sec. 8203. Inland Empire ground water assessment.

DIVISION I—INSULAR AREAS

- Sec. 9001. Conveyance of certain submerged land to the Commonwealth of the Northern Mariana Islands.



## DIVISION J—BUDGETARY EFFECTS

Sec. 10001. Budgetary effects.

1     **DIVISION A—NATIONAL PARK**  
2     **SERVICE AUTHORIZATIONS**  
3     **TITLE I—ADDITIONS TO THE**  
4     **NATIONAL PARK SYSTEM**  
5     **Subtitle A—Valles Caldera National**  
6     **Preserve**

7     **SEC. 101. DEFINITIONS.**

8     In this subtitle:

9           (1) **ELIGIBLE EMPLOYEE.**—The term “eligible  
10     employee” means a person who was a full-time or  
11     part-time employee of the Trust during the 180-day  
12     period immediately preceding the date of enactment  
13     of this Act.

14           (2) **FUND.**—The term “Fund” means the  
15     Valles Caldera Fund established by section  
16     106(h)(2) of the Valles Caldera Preservation Act (16  
17     U.S.C. 698v-4(h)(2)).

18           (3) **PRESERVE.**—The term “Preserve” means  
19     the Valles Caldera National Preserve in the State.

20           (4) **SECRETARY.**—The term “Secretary” means  
21     the Secretary of the Interior.

22           (5) **STATE.**—The term “State” means the State  
23     of New Mexico.

1           (6) TRUST.—The term “Trust” means the  
2 Valles Caldera Trust established by section 106(a)  
3 of the Valles Caldera Preservation Act (16 U.S.C.  
4 698v–4(a)).

5 **SEC. 102. VALLES CALDERA NATIONAL PRESERVE.**

6           (a) DESIGNATION AS UNIT OF THE NATIONAL PARK  
7 SYSTEM.—To protect, preserve, and restore the fish, wild-  
8 life, watershed, natural, scientific, scenic, geologic, his-  
9 toric, cultural, archaeological, and recreational values of  
10 the area, the Valles Caldera National Preserve is des-  
11 ignated as a unit of the National Park System.

12           (b) MANAGEMENT.—

13           (1) APPLICABLE LAW.—The Secretary shall ad-  
14 minister the Preserve in accordance with—

15                   (A) this subtitle; and

16                   (B) the laws generally applicable to units  
17 of the National Park System, including—

18                           (i) the National Park Service Organic  
19 Act (16 U.S.C. 1 et seq.); and

20                           (ii) the Act of August 21, 1935 (16  
21 U.S.C. 461 et seq.).

22           (2) MANAGEMENT COORDINATION.—The Sec-  
23 retary may coordinate the management and oper-  
24 ations of the Preserve with the Bandelier National  
25 Monument.

1           (3) MANAGEMENT PLAN.—

2           (A) IN GENERAL.—Not later than 3 fiscal  
3 years after the date on which funds are made  
4 available to implement this subsection, the Sec-  
5 retary shall prepare a management plan for the  
6 Preserve.

7           (B) APPLICABLE LAW.—The management  
8 plan shall be prepared in accordance with—

9           (i) section 12(b) of Public Law 91–  
10 383 (commonly known as the “National  
11 Park Service General Authorities Act”)  
12 (16 U.S.C. 1a–7(b)); and

13           (ii) any other applicable laws.

14           (C) CONSULTATION.—The management  
15 plan shall be prepared in consultation with—

16           (i) the Secretary of Agriculture;

17           (ii) State and local governments;

18           (iii) Indian tribes and pueblos, includ-  
19 ing the Pueblos of Jemez, Santa Clara,  
20 and San Ildefonso; and

21           (iv) the public.

22           (c) ACQUISITION OF LAND.—

23           (1) IN GENERAL.—The Secretary may acquire  
24 land and interests in land within the boundaries of  
25 the Preserve by—

1 (A) purchase with donated or appropriated  
2 funds;

3 (B) donation; or

4 (C) transfer from another Federal agency.

5 (2) ADMINISTRATION OF ACQUIRED LAND.—On  
6 acquisition of any land or interests in land under  
7 paragraph (1), the acquired land or interests in land  
8 shall be administered as part of the Preserve.

9 (d) SCIENCE AND EDUCATION PROGRAM.—

10 (1) IN GENERAL.—The Secretary shall—

11 (A) until the date on which a management  
12 plan is completed in accordance with subsection  
13 (b)(3), carry out the science and education pro-  
14 gram for the Preserve established by the Trust;  
15 and

16 (B) beginning on the date on which a man-  
17 agement plan is completed in accordance with  
18 subsection (b)(3), establish a science and edu-  
19 cation program for the Preserve that—

20 (i) allows for research and interpreta-  
21 tion of the natural, historic, cultural, geo-  
22 logic and other scientific features of the  
23 Preserve;

1 (ii) provides for improved methods of  
2 ecological restoration and science-based  
3 adaptive management of the Preserve; and  
4 (iii) promotes outdoor educational ex-  
5 periences in the Preserve.

6 (2) SCIENCE AND EDUCATION CENTER.—As  
7 part of the program established under paragraph  
8 (1)(B), the Secretary may establish a science and  
9 education center outside the boundaries of the Pre-  
10 serve.

11 (e) GRAZING.—The Secretary may allow the grazing  
12 of livestock within the Preserve to continue—

13 (1) consistent with this subtitle; and

14 (2) to the extent the use furthers scientific re-  
15 search or interpretation of the ranching history of  
16 the Preserve.

17 (f) FISH AND WILDLIFE.—Nothing in this subtitle  
18 affects the responsibilities of the State with respect to fish  
19 and wildlife in the State, except that the Secretary, in con-  
20 sultation with the New Mexico Department of Game and  
21 Fish—

22 (1) shall permit hunting and fishing on land  
23 and water within the Preserve in accordance with  
24 applicable Federal and State laws; and

1           (2) may designate zones in which, and establish  
2           periods during which, no hunting or fishing shall be  
3           permitted for reasons of public safety, administra-  
4           tion, the protection of wildlife and wildlife habitats,  
5           or public use and enjoyment.

6           (g) ECOLOGICAL RESTORATION.—

7           (1) IN GENERAL.—The Secretary shall under-  
8           take activities to improve the health of forest, grass-  
9           land, and riparian areas within the Preserve, includ-  
10          ing any activities carried out in accordance with title  
11          IV of the Omnibus Public Land Management Act of  
12          2009 (16 U.S.C. 7301 et seq.).

13          (2) COOPERATIVE AGREEMENTS.—The Sec-  
14          retary may enter into cooperative agreements with  
15          adjacent pueblos to coordinate activities carried out  
16          under paragraph (1) on the Preserve and adjacent  
17          pueblo land.

18          (h) WITHDRAWAL.—Subject to valid existing rights,  
19          all land and interests in land within the boundaries of the  
20          Preserve are withdrawn from—

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

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

1           (3) operation of the mineral leasing laws, geo-  
2 thermal leasing laws, and mineral materials laws.

3           (i) VOLCANIC DOMES AND OTHER PEAKS.—

4           (1) IN GENERAL.—Except as provided in para-  
5 graph (3), for the purposes of preserving the nat-  
6 ural, cultural, religious, archaeological, and historic  
7 resources of the volcanic domes and other peaks in  
8 the Preserve described in paragraph (2) within the  
9 area of the domes and peaks above 9,600 feet in ele-  
10 vation or 250 feet below the top of the dome, which-  
11 ever is lower—

12                   (A) no roads or buildings shall be con-  
13 structed; and

14                   (B) no motorized access shall be allowed.

15           (2) DESCRIPTION OF VOLCANIC DOMES.—The  
16 volcanic domes and other peaks referred to in para-  
17 graph (1) are—

18                   (A) Redondo Peak;

19                   (B) Redondito;

20                   (C) South Mountain;

21                   (D) San Antonio Mountain;

22                   (E) Cerro Seco;

23                   (F) Cerro San Luis;

24                   (G) Cerros Santa Rosa;

25                   (H) Cerros del Abrigo;

- 1 (I) Cerro del Medio;
- 2 (J) Rabbit Mountain;
- 3 (K) Cerro Grande;
- 4 (L) Cerro Toledo;
- 5 (M) Indian Point;
- 6 (N) Sierra de los Valles; and
- 7 (O) Cerros de los Posos.

8 (3) EXCEPTION.—Paragraph (1) shall not  
9 apply in cases in which construction or motorized ac-  
10 cess is necessary for administrative purposes (includ-  
11 ing ecological restoration activities or measures re-  
12 quired in emergencies to protect the health and safe-  
13 ty of persons in the area).

14 (j) TRADITIONAL CULTURAL AND RELIGIOUS  
15 SITES.—

16 (1) IN GENERAL.—The Secretary, in consulta-  
17 tion with Indian tribes and pueblos, shall ensure the  
18 protection of traditional cultural and religious sites  
19 in the Preserve.

20 (2) ACCESS.—The Secretary, in accordance  
21 with Public Law 95–341 (commonly known as the  
22 “American Indian Religious Freedom Act”) (42  
23 U.S.C. 1996)—

24 (A) shall provide access to the sites de-  
25 scribed in paragraph (1) by members of Indian



1 tribes or pueblos for traditional cultural and  
2 customary uses; and

3 (B) may, on request of an Indian tribe or  
4 pueblo, temporarily close to general public use  
5 1 or more specific areas of the Preserve to pro-  
6 tect traditional cultural and customary uses in  
7 the area by members of the Indian tribe or  
8 pueblo.

9 (3) PROHIBITION ON MOTORIZED ACCESS.—The  
10 Secretary shall maintain prohibitions on the use of  
11 motorized or mechanized travel on Preserve land lo-  
12 cated adjacent to the Santa Clara Indian Reserva-  
13 tion, to the extent the prohibition was in effect on  
14 the date of enactment of this Act.

15 (k) CALDERA RIM TRAIL.—

16 (1) IN GENERAL.—Not later than 3 years after  
17 the date of enactment of this Act, the Secretary, in  
18 consultation with the Secretary of Agriculture, af-  
19 fected Indian tribes and pueblos, and the public,  
20 shall study the feasibility of establishing a hiking  
21 trail along the rim of the Valles Caldera on—

22 (A) land within the Preserve; and

23 (B) National Forest System land that is  
24 adjacent to the Preserve.

1           (2) AGREEMENTS.—On the request of an af-  
2           fected Indian tribe or pueblo, the Secretary and the  
3           Secretary of Agriculture shall seek to enter into an  
4           agreement with the Indian tribe or pueblo with re-  
5           spect to the Caldera Rim Trail that provides for the  
6           protection of—

7                   (A) cultural and religious sites in the vicin-  
8                   ity of the trail; and

9                   (B) the privacy of adjacent pueblo land.

10          (l) VALID EXISTING RIGHTS.—Nothing in this sub-  
11          title affects valid existing rights.

12          **SEC. 103. TRANSFER OF ADMINISTRATIVE JURISDICTION.**

13          (a) IN GENERAL.—Administrative jurisdiction over  
14          the Preserve is transferred from the Secretary of Agri-  
15          culture and the Trust to the Secretary, to be administered  
16          as a unit of the National Park System, in accordance with  
17          section 102.

18          (b) EXCLUSION FROM SANTA FE NATIONAL FOR-  
19          EST.—The boundaries of the Santa Fe National Forest  
20          are modified to exclude the Preserve.

21          (c) INTERIM MANAGEMENT.—

22                  (1) MEMORANDUM OF AGREEMENT.—Not later  
23                  than 90 days after the date of enactment of this  
24                  Act, the Secretary and the Trust shall enter into a  
25                  memorandum of agreement to facilitate the orderly

1 transfer to the Secretary of the administration of  
2 the Preserve.

3 (2) EXISTING MANAGEMENT PLANS.—Notwith-  
4 standing the repeal made by section 104(a), until  
5 the date on which the Secretary completes a man-  
6 agement plan for the Preserve in accordance with  
7 section 102(b)(3), the Secretary may administer the  
8 Preserve in accordance with any management activi-  
9 ties or plans adopted by the Trust under the Valles  
10 Caldera Preservation Act (16 U.S.C. 698v et seq.),  
11 to the extent the activities or plans are consistent  
12 with section 102(b)(1).

13 (3) PUBLIC USE.—The Preserve shall remain  
14 open to public use during the interim management  
15 period, subject to such terms and conditions as the  
16 Secretary determines to be appropriate.

17 (d) VALLES CALDERA TRUST.—

18 (1) TERMINATION.—The Trust shall terminate  
19 180 days after the date of enactment of this Act un-  
20 less the Secretary determines that the termination  
21 date should be extended to facilitate the transitional  
22 management of the Preserve.

23 (2) ASSETS AND LIABILITIES.—

24 (A) ASSETS.—On termination of the  
25 Trust—

1 (i) all assets of the Trust shall be  
2 transferred to the Secretary; and

3 (ii) any amounts appropriated for the  
4 Trust shall remain available to the Sec-  
5 retary for the administration of the Pre-  
6 serve.

7 (B) ASSUMPTION OF OBLIGATIONS.—

8 (i) IN GENERAL.—On termination of  
9 the Trust, the Secretary shall assume all  
10 contracts, obligations, and other liabilities  
11 of the Trust.

12 (ii) NEW LIABILITIES.—

13 (I) BUDGET.—Not later than 90  
14 days after the date of enactment of  
15 this Act, the Secretary and the Trust  
16 shall prepare a budget for the interim  
17 management of the Preserve.

18 (II) WRITTEN CONCURRENCE RE-  
19 QUIRED.—The Trust shall not incur  
20 any new liabilities not authorized in  
21 the budget prepared under subclause  
22 (I) without the written concurrence of  
23 the Secretary.

24 (3) PERSONNEL.—

1           (A) HIRING.—The Secretary and the Sec-  
2           retary of Agriculture may hire employees of the  
3           Trust on a noncompetitive basis for comparable  
4           positions at the Preserve or other areas or of-  
5           fices under the jurisdiction of the Secretary or  
6           the Secretary of Agriculture.

7           (B) SALARY.—Any employees hired from  
8           the Trust under subparagraph (A) shall be sub-  
9           ject to the provisions of chapter 51, and sub-  
10          chapter III of chapter 53, title 5, United States  
11          Code, relating to classification and General  
12          Schedule pay rates.

13          (C) INTERIM RETENTION OF ELIGIBLE EM-  
14          PLOYEES.—For a period of not less than 180  
15          days beginning on the date of enactment of this  
16          Act, all eligible employees of the Trust shall  
17          be—

18                 (i) retained in the employment of the  
19                 Trust;

20                 (ii) considered to be placed on detail  
21                 to the Secretary; and

22                 (iii) subject to the direction of the  
23                 Secretary.

24          (D) TERMINATION FOR CAUSE.—Nothing  
25          in this paragraph precludes the termination of

1 employment of an eligible employee for cause  
2 during the period described in subparagraph  
3 (C).

4 (4) RECORDS.—The Secretary shall have access  
5 to all records of the Trust pertaining to the manage-  
6 ment of the Preserve.

7 (5) VALLES CALDERA FUND.—

8 (A) IN GENERAL.—Effective on the date of  
9 enactment of this Act, the Secretary shall as-  
10 sume the powers of the Trust over the Fund.

11 (B) AVAILABILITY AND USE.—Any  
12 amounts in the Fund as of the date of enact-  
13 ment of this Act shall be available to the Sec-  
14 retary for use, without further appropriation,  
15 for the management of the Preserve.

16 **SEC. 104. REPEAL OF VALLES CALDERA PRESERVATION**  
17 **ACT.**

18 (a) REPEAL.—On the termination of the Trust, the  
19 Valles Caldera Preservation Act (16 U.S.C. 698v et seq.)  
20 is repealed.

21 (b) EFFECT OF REPEAL.—Notwithstanding the re-  
22 peal made by subsection (a)—

23 (1) the authority of the Secretary of Agri-  
24 culture to acquire mineral interests under section  
25 104(e) of the Valles Caldera Preservation Act (16

1 U.S.C. 698v–2(e)) is transferred to the Secretary  
2 and any proceeding for the condemnation of, or pay-  
3 ment of compensation for, an outstanding mineral  
4 interest pursuant to the transferred authority shall  
5 continue;

6 (2) the provisions in section 104(g) of the  
7 Valles Caldera Preservation Act (16 U.S.C. 698v–  
8 2(g)) relating to the Pueblo of Santa Clara shall re-  
9 main in effect; and

10 (3) the Fund shall not be terminated until all  
11 amounts in the Fund have been expended by the  
12 Secretary.

13 (c) BOUNDARIES.—The repeal of the Valles Caldera  
14 Preservation Act (16 U.S.C. 698v et seq.) shall not affect  
15 the boundaries as of the date of enactment of this Act  
16 (including maps and legal descriptions) of—

17 (1) the Preserve;

18 (2) the Santa Fe National Forest (other than  
19 the modification made by section 103(b));

20 (3) Bandelier National Monument; and

21 (4) any land conveyed to the Pueblo of Santa  
22 Clara.

23 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

24 There are authorized to be appropriated such sums  
25 as are necessary to carry out this subtitle.

1           **Subtitle B—Waco Mammoth**  
2                   **National Monument**

3 **SEC. 111. FINDINGS.**

4           Congress finds as follows:

5                   (1) The Waco Mammoth Site area is located  
6           near the confluence of the Brazos and the Bosque  
7           rivers in Central Texas, near the City of Waco.

8                   (2) Baylor University has been investigating the  
9           site since 1978 after the discovery of bones emerging  
10          from eroding creek banks leading to the uncovering  
11          of portions of five mammoths.

12                  (3) Several additional mammoth remains have  
13          been uncovered making this the largest known con-  
14          centration of mammoths dying from the same event.

15                  (4) The discoveries have received international  
16          attention.

17                  (5) The University and the City of Waco have  
18          been working together to protect the site and to de-  
19          velop further research and educational opportunities.

20 **SEC. 112. DEFINITIONS.**

21          In this subtitle the following definitions apply:

22                  (1) NATIONAL MONUMENT.—The term “na-  
23          tional monument” means the Waco Mammoth Na-  
24          tional Monument, established in section 113.



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

3           (3) MAP.—The term “map” means the map ti-  
4           tled “Proposed Boundary Waco-Mammoth National  
5           Monument”, numbered T21/80,000, and dated  
6           April, 2009.

7 **SEC. 113. WACO MAMMOTH NATIONAL MONUMENT, TEXAS.**

8           (a) ESTABLISHMENT.—There is established the Waco  
9           Mammoth National Monument in the State of Texas, as  
10          a unit of the National Park System, as generally depicted  
11          on the map.

12          (b) AVAILABILITY OF MAP.—The map shall be on file  
13          and available for public inspection in the appropriate of-  
14          fices of the National Park Service.

15 **SEC. 114. ADMINISTRATION OF NATIONAL MONUMENT.**

16          (a) IN GENERAL.—The Secretary shall administer  
17          the national monument in accordance with this subtitle,  
18          the cooperative agreements described in this section, and  
19          laws and regulations generally applicable to units of the  
20          National Park System, including the National Park Serv-  
21          ice Organic Act (39 Stat. 535, 16 U.S.C. 1).

22          (b) COOPERATIVE AGREEMENTS.—The Secretary  
23          may enter into cooperative agreements for the manage-  
24          ment of the national monument with Baylor University

1 and City of Waco, pursuant to the National Park Service  
2 General Authorities Act (16 U.S.C. 1a-2(1)).

3 **SEC. 115. ACQUISITION OF PROPERTY AND BOUNDARY**  
4 **MANAGEMENT.**

5 (a) ACQUISITION OF PROPERTY.—The Secretary is  
6 authorized to acquire from willing sellers lands, or inter-  
7 ests in lands, within the proposed boundary of the national  
8 monument necessary for effective management.

9 (b) CONDITIONS.—Lands identified in subsection (a)  
10 may be acquired—

11 (1) by donation, purchase with donated or ap-  
12 propriated funds, transfer from another Federal  
13 agency, or by exchange; and

14 (2) in the case of lands owned by the State of  
15 Texas, or a political subdivision thereof, or Baylor  
16 University only by donation or exchange.

17 **SEC. 116. CONSTRUCTION OF FACILITIES ON NON-FEDERAL**  
18 **LANDS.**

19 (a) IN GENERAL.—The Secretary is authorized, sub-  
20 ject to the appropriation of necessary funds, to construct  
21 essential administrative or visitor use facilities on non-  
22 Federal lands within the national monument.

23 (b) OTHER FUNDING.—In addition to the use of Fed-  
24 eral funds authorized in subsection (a), the Secretary may

1 use donated funds, property, and services to carry out this  
2 section.

3 **SEC. 117. GENERAL MANAGEMENT PLAN.**

4 (a) IN GENERAL.—Not later than three years after  
5 the date on which funds are made available to carry out  
6 this subtitle, the Secretary, in consultation with Baylor  
7 University and City of Waco, shall prepare a management  
8 plan for the national monument.

9 (b) INCLUSIONS.—The management plan shall in-  
10 clude, at a minimum—

11 (1) measures for the preservation of the re-  
12 sources of the national monument;

13 (2) requirements for the type and extent of de-  
14 velopment and use of the national monument;

15 (3) identification of visitor carrying capacities  
16 for national monument; and

17 (4) opportunities for involvement by Baylor  
18 University, the City of Waco, the State of Texas,  
19 and other local and national entities in the formula-  
20 tion of educational programs for the national monu-  
21 ment and for developing and supporting the national  
22 monument.

1     **TITLE II—EXISTING UNITS OF**  
2     **THE NATIONAL PARK SYSTEM**  
3     **Subtitle A—Oregon Caves National**  
4             **Monument Expansion**

5     **SEC. 201. DEFINITIONS.**

6             In this subtitle:

7                 (1) MAP.—The term “map” means the map en-  
8             titled “Oregon Caves National Monument and Pre-  
9             serve”, numbered 150/80,023, and dated May 2010.

10                (2) MONUMENT.—The term “Monument”  
11             means the Oregon Caves National Monument estab-  
12             lished by Presidential Proclamation Number 876 (36  
13             Stat. 2497), dated July 12, 1909.

14                (3) NATIONAL MONUMENT AND PRESERVE.—  
15             The term “National Monument and Preserve”  
16             means the Oregon Caves National Monument and  
17             Preserve designated by section 202(a)(1).

18                (4) NATIONAL PRESERVE.—The term “National  
19             Preserve” means the National Preserve designated  
20             by section 202(a)(2).

21                (5) SECRETARY.—The term “Secretary” means  
22             the Secretary of the Interior.

23                (6) SECRETARY CONCERNED.—The term “Sec-  
24             retary concerned” means—

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

4 (B) the Secretary of the Interior, with re-  
5 spect to land managed by the Bureau of Land  
6 Management.

7 (7) STATE.—The term “State” means the State  
8 of Oregon.

9 **SEC. 202. DESIGNATIONS; LAND TRANSFER; BOUNDARY AD-**  
10 **JUSTMENT.**

11 (a) DESIGNATIONS.—

12 (1) IN GENERAL.—The Monument and the Na-  
13 tional Preserve shall be administered as a single unit  
14 of the National Park System and collectively known  
15 and designated as the “Oregon Caves National  
16 Monument and Preserve”.

17 (2) NATIONAL PRESERVE.—The approximately  
18 4,070 acres of land identified on the map as “Pro-  
19 posed Addition Lands” shall be designated as a Na-  
20 tional Preserve.

21 (b) TRANSFER OF ADMINISTRATIVE JURISDIC-  
22 TION.—

23 (1) IN GENERAL.—Administrative jurisdiction  
24 over the land designated as a National Preserve  
25 under subsection (a)(2) is transferred from the Sec-

1       retary of Agriculture to the Secretary, to be admin-  
2       istered as part of the National Monument and Pre-  
3       serve.

4           (2) EXCLUSION OF LAND.—The boundaries of  
5       the Rogue River-Siskiyou National Forest are ad-  
6       justed to exclude the land transferred under para-  
7       graph (1).

8       (c) BOUNDARY ADJUSTMENT.—The boundary of the  
9       National Monument and Preserve is modified to exclude  
10      approximately 4 acres of land—

11           (1) located in the City of Cave Junction; and

12           (2) identified on the map as the “Cave Junction  
13      Unit”.

14       (d) AVAILABILITY OF MAP.—The map shall be on file  
15      and available for public inspection in the appropriate of-  
16      fices of the National Park Service.

17       (e) REFERENCES.—Any reference in a law, map, reg-  
18      ulation, document, paper, or other record of the United  
19      States to the Monument shall be considered to be a ref-  
20      erence to the “Oregon Caves National Monument and Pre-  
21      serve”.

22      **SEC. 203. ADMINISTRATION.**

23       (a) IN GENERAL.—The Secretary shall administer  
24      the National Monument and Preserve in accordance  
25      with—

1 (1) this subtitle;

2 (2) Presidential Proclamation Number 876 (36  
3 Stat. 2497), dated July 12, 1909; and

4 (3) any law (including regulations) generally  
5 applicable to units of the National Park System, in-  
6 cluding the National Park Service Organic Act (16  
7 U.S.C. 1 et seq.).

8 (b) FIRE MANAGEMENT.—As soon as practicable  
9 after the date of enactment of this Act, in accordance with  
10 subsection (a), the Secretary shall—

11 (1) revise the fire management plan for the  
12 Monument to include the land transferred under sec-  
13 tion 202(b)(1); and

14 (2) in accordance with the revised plan, carry  
15 out hazardous fuel management activities within the  
16 boundaries of the National Monument and Preserve.

17 (c) EXISTING FOREST SERVICE CONTRACTS.—

18 (1) IN GENERAL.—The Secretary shall—

19 (A) allow for the completion of any Forest  
20 Service stewardship or service contract executed  
21 as of the date of enactment of this Act with re-  
22 spect to the National Preserve; and

23 (B) recognize the authority of the Sec-  
24 retary of Agriculture for the purpose of admin-

1           istering a contract described in subparagraph  
2           (A) through the completion of the contract.

3           (2) TERMS AND CONDITIONS.—All terms and  
4           conditions of a contract described in paragraph  
5           (1)(A) shall remain in place for the duration of the  
6           contract.

7           (3) LIABILITY.—The Forest Service shall be re-  
8           sponsible for any liabilities relating to a contract de-  
9           scribed in paragraph (1)(A).

10          (d) GRAZING.—

11           (1) IN GENERAL.—Subject to paragraph (2),  
12           the Secretary may allow the grazing of livestock  
13           within the National Preserve to continue as author-  
14           ized under permits or leases in existence as of the  
15           date of enactment of this Act.

16           (2) APPLICABLE LAW.—Grazing under para-  
17           graph (1) shall be—

18           (A) at a level not greater than the level at  
19           which the grazing exists as of the date of enact-  
20           ment of this Act, as measured in Animal Unit  
21           Months; and

22           (B) in accordance with each applicable law  
23           (including National Park Service regulations).

24           (e) FISH AND WILDLIFE.—The Secretary shall per-  
25           mit hunting and fishing on land and waters within the



1 National Preserve in accordance with applicable Federal  
2 and State laws, except that the Secretary may, in con-  
3 sultation with the Oregon Department of Fish and Wild-  
4 life, designate zones in which, and establish periods during  
5 which, no hunting or fishing shall be permitted for reasons  
6 of public safety, administration, or compliance by the Sec-  
7 retary with any applicable law (including regulations).

8 **SEC. 204. VOLUNTARY GRAZING LEASE OR PERMIT DONA-**  
9 **TION PROGRAM.**

10 (a) DONATION OF LEASE OR PERMIT.—

11 (1) ACCEPTANCE BY SECRETARY CON-  
12 CERNED.—The Secretary concerned shall accept a  
13 grazing lease or permit that is donated by a lessee  
14 or permittee for—

15 (A) the Big Grayback Grazing Allotment  
16 located in the Rogue River-Siskiyou National  
17 Forest; and

18 (B) the Billy Mountain Grazing Allotment  
19 located on a parcel of land that is managed by  
20 the Secretary (acting through the Director of  
21 the Bureau of Land Management).

22 (2) TERMINATION.—With respect to each graz-  
23 ing permit or lease donated under paragraph (1),  
24 the Secretary shall—

1 (A) terminate the grazing permit or lease;  
2 and

3 (B) ensure a permanent end to grazing on  
4 the land covered by the grazing permit or lease.

5 (b) EFFECT OF DONATION.—A lessee or permittee  
6 that donates a grazing lease or grazing permit (or a por-  
7 tion of a grazing lease or grazing permit) under this sec-  
8 tion shall be considered to have waived any claim to any  
9 range improvement on the associated grazing allotment or  
10 portion of the associated grazing allotment, as applicable.

11 **SEC. 205. WILD AND SCENIC RIVER DESIGNATIONS.**

12 (a) DESIGNATION.—Section 3(a) of the Wild and  
13 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by add-  
14 ing at the end the following:

15 “(208) RIVER STYX, OREGON.—The subterra-  
16 nean segment of Cave Creek, known as the River  
17 Styx, to be administered by the Secretary of the In-  
18 terior as a scenic river.”.

19 (b) POTENTIAL ADDITIONS.—

20 (1) IN GENERAL.—Section 5(a) of the Wild and  
21 Scenic Rivers Act (16 U.S.C. 1276(a)) is amended  
22 by adding at the end the following:

23 “(141) OREGON CAVES NATIONAL MONUMENT  
24 AND PRESERVE, OREGON.—

1           “(A) CAVE CREEK, OREGON.—The 2.6-  
2 mile segment of Cave Creek from the head-  
3 waters at the River Styx to the boundary of the  
4 Rogue River Siskiyou National Forest.

5           “(B) LAKE CREEK, OREGON.—The 3.6-  
6 mile segment of Lake Creek from the head-  
7 waters at Bigelow Lakes to the confluence with  
8 Cave Creek.

9           “(C) NO NAME CREEK, OREGON.—The  
10 0.6-mile segment of No Name Creek from the  
11 headwaters to the confluence with Cave Creek.

12           “(D) PANTHER CREEK.—The 0.8-mile seg-  
13 ment of Panther Creek from the headwaters to  
14 the confluence with Lake Creek.

15           “(E) UPPER CAVE CREEK.—The segment  
16 of Upper Cave Creek from the headwaters to  
17 the confluence with River Styx.”.

18           (2) STUDY; REPORT.—Section 5(b) of the Wild  
19 and Scenic Rivers Act (16 U.S.C. 1276(b)) is  
20 amended by adding at the end the following:

21           “(20) OREGON CAVES NATIONAL MONUMENT  
22 AND PRESERVE, OREGON.—Not later than 3 years  
23 after the date on which funds are made available to  
24 carry out this paragraph, the Secretary shall—

1           “(A) complete the study of the Oregon  
2           Caves National Monument and Preserve seg-  
3           ments described in subsection (a)(141); and

4           “(B) submit to Congress a report con-  
5           taining the results of the study.”.

6           **Subtitle B—Longfellow House-**  
7           **Washington Headquarters**  
8           **Redesignation**

9           **SEC. 211. REDESIGNATION OF LONGFELLOW NATIONAL**  
10           **HISTORIC SITE, MASSACHUSETTS.**

11           (a) IN GENERAL.—The Longfellow National Historic  
12           Site in Cambridge, Massachusetts, shall be known and  
13           designated as “Longfellow House-Washington’s Head-  
14           quarters National Historic Site”.

15           (b) REFERENCES.—Any reference in a law, map, reg-  
16           ulation, document, paper, or other record of the United  
17           States to the Longfellow National Historic Site shall be  
18           considered to be a reference to the “Longfellow House-  
19           Washington’s Headquarters National Historic Site”.

1       **Subtitle C—Minuteman Missile**  
2       **National Historic Site Boundary**  
3       **Modification**

4       **SEC. 221. BOUNDARY MODIFICATION.**

5       Section 3(a) of the Minuteman Missile National His-  
6       toric Site Establishment Act of 1999 (16 U.S.C. 461 note;  
7       Public Law 106–115) is amended—

8               (1) by redesignating paragraphs (3) and (4) as  
9       paragraphs (4) and (5), respectively; and

10              (2) by inserting after paragraph (2) the fol-  
11       lowing:

12              “(3) VISITOR FACILITY AND ADMINISTRATIVE  
13       SITE.—

14              “(A) IN GENERAL.—In addition to the  
15       components described in paragraph (2), the his-  
16       toric site shall include a visitor facility and ad-  
17       ministrative site located on the parcel of land  
18       described in subparagraph (B).

19              “(B) DESCRIPTION OF LAND.—The land  
20       referred to in subparagraph (A) consists of ap-  
21       proximately 25 acres of land within the Buffalo  
22       Gap National Grassland in South Dakota as  
23       generally depicted on the map entitled ‘Minute-  
24       man Missile National Historic Site Boundary

1 Modification', numbered 406/80,011, and dated  
2 July 17, 2009.

3 “(C) AVAILABILITY OF MAP.—The map de-  
4 scribed in subparagraph (B) shall be kept on  
5 file and available for public inspection in the  
6 appropriate offices of the National Park Serv-  
7 ice.

8 “(D) TRANSFER OF ADMINISTRATIVE JU-  
9 RISDICTION.—Administrative jurisdiction over  
10 the land described in subparagraph (B) is  
11 transferred from the Secretary of Agriculture to  
12 the Secretary, to be administered as part of the  
13 historic site.

14 “(E) BOUNDARY ADJUSTMENT.—The  
15 boundaries of the Buffalo Gap National Grass-  
16 lands are modified to exclude the land trans-  
17 ferred under subparagraph (D).”.

18 **Subtitle D—Indiana Dunes**  
19 **National Lakeshore Visitor Center**

20 **SEC. 231. DOROTHY BUELL MEMORIAL VISITOR CENTER.**

21 (a) MEMORANDUM OF UNDERSTANDING.—The Sec-  
22 retary of the Interior may enter into a memorandum of  
23 understanding to establish a joint partnership with the  
24 Porter County Convention, Recreation and Visitor Com-  
25 mission. The memorandum of understanding shall—

1           (1) identify the overall goals and purpose of the  
2 Dorothy Buell Memorial Visitor Center;

3           (2) establish how management and operational  
4 duties will be shared;

5           (3) determine how exhibits, signs, and other in-  
6 formation are developed;

7           (4) indicate how various activities will be fund-  
8 ed;

9           (5) identify who is responsible for providing site  
10 amenities;

11           (6) establish procedures for changing or dis-  
12 solving the joint partnership; and

13           (7) address any other issues deemed necessary  
14 by the Secretary or the Porter County Convention,  
15 Recreation and Visitor Commission.

16       (b) DEVELOPMENT OF EXHIBITS.—The Secretary  
17 may plan, design, construct, and install exhibits in the  
18 Dorothy Buell Memorial Visitor Center related to the use  
19 and management of the resources at Indiana Dunes Na-  
20 tional Lakeshore, at a cost not to exceed \$1,500,000.

21       (c) NATIONAL LAKESHORE PRESENCE.—The Sec-  
22 retary may use park staff from Indiana Dunes National  
23 Lakeshore in the Dorothy Buell Memorial Visitor Center  
24 to provide visitor information and education.

1 **SEC. 232. INDIANA DUNES NATIONAL LAKESHORE.**

2 Section 19 of the Act entitled “An Act to provide for  
3 the establishment of the Indiana Dunes National Lake-  
4 shore, and for other purposes” (16 U.S.C. 460u–19) is  
5 amended—

6 (1) by striking “After notifying” and inserting  
7 “(a) After notifying”; and

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

9 “(b) **CONTIGUOUS CLARIFIED.**—For purposes of sub-  
10 section (a), lands may be considered contiguous to other  
11 lands if the lands touch the other lands, or are separated  
12 from the other lands by only a public or private right-  
13 of-way, such as a road, railroad, or utility corridor.”.

14 **Subtitle E—North Cascades**  
15 **National Park Fish Stocking**

16 **SEC. 241. DEFINITIONS.**

17 In this subtitle:

18 (1) **NORTH CASCADES NATIONAL PARK SERVICE**  
19 **COMPLEX.**—The term “North Cascades National  
20 Park Service Complex” means collectively the North  
21 Cascades National Park, Ross Lake National Recre-  
22 ation Area, and Lake Chelan National Recreation  
23 Area.

24 (2) **PLAN.**—The term “plan” means the docu-  
25 ment entitled “North Cascades National Park Serv-  
26 ice Complex Mountain Lakes Fishery Management



1 Plan and Environmental Impact Statement” and  
2 dated June 2008.

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

5 **SEC. 242. STOCKING OF CERTAIN LAKES IN THE NORTH**  
6 **CASCADES NATIONAL PARK SERVICE COM-**  
7 **PLEX.**

8 (a) IN GENERAL.—Subject to subsection (b), the Sec-  
9 retary shall authorize the stocking of fish in lakes in the  
10 North Cascades National Park Service Complex.

11 (b) CONDITIONS.—

12 (1) IN GENERAL.—The Secretary is authorized  
13 to allow stocking of fish in not more than 42 of the  
14 91 lakes in the North Cascades National Park Serv-  
15 ice Complex that have historically been stocked with  
16 fish.

17 (2) NATIVE NONREPRODUCING FISH.—The Sec-  
18 retary shall only stock fish that are—

19 (A) native to the slope of the Cascade  
20 Range on which the lake to be stocked is lo-  
21 cated; and

22 (B) nonreproducing, as identified in man-  
23 agement alternative B of the plan.

24 (3) CONSIDERATIONS.—In making fish stocking  
25 decisions under this subtitle, the Secretary shall

1 make use of relevant scientific information, including  
2 the plan and information gathered under subsection  
3 (c).

4 (4) REQUIRED COORDINATION.—The Secretary  
5 shall coordinate the stocking of fish under this sub-  
6 title with the State of Washington.

7 (c) RESEARCH AND MONITORING.—The Secretary  
8 shall—

9 (1) continue a program of research and moni-  
10 toring of the impacts of fish stocking on the re-  
11 sources of the applicable unit of the North Cascades  
12 National Park Service Complex; and

13 (2) beginning on the date that is 5 years after  
14 the date of enactment of this Act and every 5 years  
15 thereafter, submit to the Committee on Energy and  
16 Natural Resources of the Senate and the Committee  
17 on Natural Resources of the House of Representa-  
18 tives a report that describes the results of the re-  
19 search and monitoring under paragraph (1).

20 **Subtitle F—Petersburg National**  
21 **Battlefield Boundary Modification**

22 **SEC. 251. BOUNDARY MODIFICATION.**

23 (a) IN GENERAL.—The boundary of Petersburg Na-  
24 tional Battlefield is modified to include the properties as  
25 generally depicted on the map titled “Petersburg National

1 Battlefield Boundary Expansion”, numbered 325/80,080,  
2 and dated June 2007. The map shall be on file and avail-  
3 able for inspection in the appropriate offices of the Na-  
4 tional Park Service.

5 (b) ACQUISITION OF PROPERTIES.—The Secretary of  
6 the Interior (referred to in this subtitle as the “Sec-  
7 retary”) is authorized to acquire the lands or interests in  
8 land, described in subsection (a), from willing sellers only  
9 by donation, purchase with donated or appropriated funds,  
10 exchange, or transfer.

11 (c) ADMINISTRATION.—The Secretary shall admin-  
12 ister any land or interests in land acquired under this sec-  
13 tion as part of the Petersburg National Battlefield in ac-  
14 cordance with applicable laws and regulations.

15 **SEC. 252. ADMINISTRATIVE JURISDICTION TRANSFER.**

16 (a) IN GENERAL.—The Secretary and the Secretary  
17 of the Army are authorized to transfer administrative ju-  
18 risdiction for approximately 1.171 acres of land under the  
19 jurisdiction of the Department of the Interior within the  
20 boundary of the Petersburg National Battlefield, for ap-  
21 proximately 1.170 acres of land under the jurisdiction of  
22 the Department of the Army within the boundary of the  
23 Fort Lee Military Reservation adjacent to the boundary  
24 of the Petersburg National Battlefield.

1           (b) MAP.—The land to be exchanged is depicted on  
2 the map titled “Petersburg National Battlefield Proposed  
3 Transfer of Administrative Jurisdiction”, numbered 325/  
4 80,081, and dated October 2009. The map shall be avail-  
5 able for public inspection in the appropriate offices of the  
6 National Park Service.

7           (c) CONDITIONS OF TRANSFER.—The transfer of ad-  
8 ministrative jurisdiction authorized in subsection (a) shall  
9 be subject to the following conditions:

10           (1) NO REIMBURSEMENT OR CONSIDER-  
11 ATION.—The transfer shall occur without reimburse-  
12 ment or consideration.

13           (2) DEADLINE.—The Secretary and the Sec-  
14 retary of the Army shall complete the transfers au-  
15 thorized by this section not later than 120 days after  
16 the funds are made available for that purpose.

17           (3) MANAGEMENT.—The land conveyed to the  
18 Secretary under subsection (a) shall be included  
19 within the boundary of the Petersburg National Bat-  
20 tlefield and shall be administered as part of the park  
21 in accordance with applicable laws and regulations.

1     **Subtitle G—Gettysburg National**  
2     **Battlefield Boundary Modification**

3     **SEC. 261. GETTYSBURG NATIONAL MILITARY PARK BOUND-**  
4                    **ARY REVISION.**

5           Section 1 of the Act titled “An Act to revise the  
6 boundary of the Gettysburg National Military Park in the  
7 Commonwealth of Pennsylvania, and for other purposes”,  
8 approved August 17, 1990 (16 U.S.C. 430g–4), is amend-  
9 ed by adding at the end the following:

10          “(d) **ADDITIONAL LAND.**—In addition to the land  
11 identified in subsections (a) and (b), the park shall also  
12 include the following, as depicted on the map titled ‘Get-  
13 tysburg National Military Park Proposed Boundary Addi-  
14 tion’, numbered 305/80,045 and dated January 2010:

15                 “(1) The land and interests in land commonly  
16                 known as the ‘Gettysburg Train Station’ and its im-  
17                 mediate surroundings in the Borough of Gettysburg.

18                 “(2) The land and interests in land located  
19                 along Plum Run in Cumberland Township.”.

20     **SEC. 262. ACQUISITION AND DISPOSAL OF LAND.**

21           Section 2 of that Act (16 U.S.C. 430g–5) is amended  
22 by adding at the end of subsection (a) the following: “The  
23 Secretary is also authorized to acquire publicly owned  
24 property within the area defined in section 1(d)(1) by pur-  
25 chase, from willing sellers only, if efforts to acquire that

1 property without cost have been exhausted. The Secretary  
2 may not acquire property within the area defined in sec-  
3 tion 1(d) by eminent domain.”.

## 4 **Subtitle H—Cane River National** 5 **Historical Park Curatorial Center**

### 6 **SEC. 271. COLLECTIONS CONSERVATION CENTER.**

7 Section 304 of the Cane River Creole National His-  
8 torical Park and National Heritage Area Act (16 U.S.C.  
9 410ccc-2) is amended by adding at the end the following:

10 “(f) COLLECTIONS CONSERVATION CENTER.—

11 “(1) IN GENERAL.—The Secretary may enter  
12 into an agreement with Northwestern State Univer-  
13 sity (referred to in this subsection as the ‘Univer-  
14 sity’) to construct a facility on land owned by the  
15 University to be used—

16 “(A) to house the museum collection of the  
17 historical park;

18 “(B) to provide additional space for use by  
19 the National Center for Preservation Tech-  
20 nology and Training; and

21 “(C) to provide space to the University for  
22 educational purposes relating to the Williamson  
23 Museum collection, if the University pays an  
24 appropriate rental fee to the National Park

1 Service, as determined in the agreement entered  
2 into under this paragraph.

3 “(2) USE OF FEE.—Proceeds from the rental  
4 fees collected under paragraph (1)(C) shall be avail-  
5 able until expended, without further appropriation,  
6 for the historical park.

7 “(3) TERMS OF LEASE.—The Secretary may  
8 enter into a lease with the University for a term of  
9 not more than 40 years if the land made available  
10 by the University under paragraph (1) is leased at  
11 a nominal cost to the Secretary.”.

12 **SEC. 272. TECHNICAL CORRECTIONS.**

13 The Cane River Creole National Historical Park and  
14 National Heritage Area Act (16 U.S.C. 410ccc et seq.)  
15 is amended—

16 (1) in the third sentence of section 304(e) (16  
17 U.S.C. 410ccc–2(e)), by striking “of Technology”  
18 and inserting “Technology”; and

19 (2) in section 305(a) (16 U.S.C. 410ccc–3(a)),  
20 by striking “interest” and inserting “interests”.

21 **TITLE III—SPECIAL RESOURCE**  
22 **STUDIES**

23 **SEC. 301. NEW PHILADELPHIA, ILLINOIS.**

24 (a) DEFINITIONS.—In this section:

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

3           (2) STUDY AREA.—The term “Study Area”  
4           means the New Philadelphia archeological site and  
5           the surrounding land in the State of Illinois.

6           (b) STUDY.—The Secretary shall conduct a special  
7           resource study of the Study Area.

8           (c) CONTENTS.—In conducting the study under sub-  
9           section (b), the Secretary shall—

10           (1) evaluate the national significance of the  
11           Study Area;

12           (2) determine the suitability and feasibility of  
13           designating the Study Area as a unit of the National  
14           Park System;

15           (3) consider other alternatives for preservation,  
16           protection, and interpretation of the Study Area  
17           by—

18                   (A) Federal, State, or local governmental  
19                   entities; or

20                   (B) private and nonprofit organizations;

21           (4) consult with—

22                   (A) interested Federal, State, or local gov-  
23                   ernmental entities;

24                   (B) private and nonprofit organizations; or

25                   (C) any other interested individuals; and



1           (5) identify cost estimates for any Federal ac-  
2           quisition, development, interpretation, operation, and  
3           maintenance associated with the alternatives consid-  
4           ered under paragraph (3).

5           (d) **APPLICABLE LAW.**—The study required under  
6           subsection (b) shall be conducted in accordance with sec-  
7           tion 8 of Public Law 91–383 (16 U.S.C. 1a–5).

8           (e) **REPORT.**—Not later than 3 years after the date  
9           on which funds are first made available for the study  
10          under subsection (b), the Secretary shall submit to the  
11          Committee on Natural Resources of the House of Rep-  
12          resentatives and the Committee on Energy and Natural  
13          Resources of the Senate a report containing—

14                 (1) the results of the study; and

15                 (2) any conclusions and recommendations of the  
16          Secretary.

17 **SEC. 302. GEORGE C. MARSHALL HOME, VIRGINIA.**

18           (a) **FINDINGS.**—Congress finds that—

19                 (1) General George Catlett Marshall and his  
20                 wife Katherine owned Dodona Manor during Mar-  
21                 shall’s tenure as—

22                         (A) the Army’s Chief of Staff from 1939  
23                         to 1945;

24                         (B) the Secretary of State from 1947 to  
25                         1948; and

1                   (C) Secretary of Defense from 1950 to  
2                   1951;

3                   (2) General Marshall served in the Federal  
4                   Government during a period in which the United  
5                   States faced the challenges of—

6                   (A) fighting and winning a world war; and

7                   (B) developing a global recovery plan to  
8                   defend the free world from the emerging Cold  
9                   War;

10                  (3) Dodona Manor—

11                  (A) was built in 3 stages; and

12                  (B) has been impeccably restored to mu-  
13                  seum standards with the original Marshall fur-  
14                  nishing;

15                  (4) the impeccable restoration of Dodona  
16                  Manor preserves the integrity of the homelife of  
17                  General Marshall so that Dodona Manor accurately  
18                  presents a picture of an American hero to present  
19                  and future generations;

20                  (5) during his time at Dodona Manor, General  
21                  Marshall was awarded the Nobel Peace Prize for  
22                  leadership and actions that have relevance in the  
23                  current troubling times; and

24                  (6) Dodona Manor—

1 (A) displays in a pastoral and educational  
2 format how the Marshall family solely dedicated  
3 themselves to public service while living in har-  
4 mony with the heritage of Virginia; and

5 (B) shows how Marshall embraced his per-  
6 sonal passion of gardening in a way that would  
7 inspire visitors.

8 (b) STUDY.—The Secretary of the Interior (referred  
9 to in this section as the “Secretary”) shall conduct a spe-  
10 cial resource study of the Dodona Manor and gardens in  
11 Leesburg, Virginia, the home of George C. Marshall dur-  
12 ing the most important period of Marshall’s career (re-  
13 ferred to in this section as the “study area”).

14 (c) CONTENTS.—In conducting the study under sub-  
15 section (b), the Secretary shall—

16 (1) evaluate the national significance of the  
17 study area and the surrounding area;

18 (2) determine the suitability and feasibility of  
19 designating the study area as an affiliated area of  
20 the National Park System;

21 (3) consider other alternatives for the preserva-  
22 tion, protection, and interpretation of the study area  
23 by—

24 (A) the Federal Government;

25 (B) State or local governmental entities; or

1 (C) private or nonprofit organizations;

2 (4) consult with interested—

3 (A) Federal, State, or local governmental  
4 entities;

5 (B) private or nonprofit organizations; or

6 (C) any other interested individuals; and

7 (5) identify cost estimates for any Federal ac-  
8 quisition, development, interpretation, operation, and  
9 maintenance associated with the alternatives consid-  
10 ered under paragraph (3).

11 (d) APPLICABLE LAW.—The study required under  
12 subsection (b) shall be conducted in accordance with sec-  
13 tion 8 of Public Law 91–383 (16 U.S.C. 1a–5).

14 (e) REPORT.—Not later than 3 years after the date  
15 on which funds are first made available to carry out the  
16 study under subsection (b), the Secretary shall submit to  
17 the Committee on Energy and Natural Resources of the  
18 Senate and the Committee on Natural Resources of the  
19 House of Representatives a report that contains a descrip-  
20 tion of—

21 (1) the results of the study; and

22 (2) any conclusions and recommendations of the  
23 Secretary.

1 **SEC. 303. HEART MOUNTAIN RELOCATION CENTER, WYO-**  
2 **MING.**

3 (a) STUDY.—The Secretary of the Interior shall con-  
4 duct a special resource study of the Heart Mountain Relo-  
5 cation Center, in Park County, Wyoming.

6 (b) CONTENTS.—In conducting the study under sub-  
7 section (a), the Secretary shall—

8 (1) evaluate the national significance of the  
9 Heart Mountain Relocation Center and surrounding  
10 area;

11 (2) determine the suitability and feasibility of  
12 designating the Heart Mountain Relocation Center  
13 as a unit of the National Park System;

14 (3) consider other alternatives for preservation,  
15 protection, and interpretation of the site by Federal,  
16 State, or local governmental entities, or private and  
17 nonprofit organizations;

18 (4) identify cost estimates for any Federal ac-  
19 quisition, development, interpretation, operation, and  
20 maintenance associated with the alternatives;

21 (5) identify any potential impacts of designation  
22 of the site as a unit of the National Park System  
23 on private landowners; and

24 (6) consult with interested Federal, State, or  
25 local governmental entities, federally recognized In-  
26 dian tribes, private and nonprofit organizations,

1 owners of private property that may be affected by  
2 any such designation, or any other interested indi-  
3 viduals.

4 (c) **APPLICABLE LAW.**—The study required under  
5 subsection (a) shall be conducted in accordance with sec-  
6 tion 8 of Public Law 91–383 (16 U.S.C. 1a–5).

7 (d) **REPORT.**—Not later than 3 years after the date  
8 on which funds are first made available for the study  
9 under subsection (a), the Secretary shall submit to the  
10 Committee on Natural Resources of the House of Rep-  
11 resentatives and the Committee on Energy and Natural  
12 Resources of the Senate a report containing the results  
13 of the study and any conclusions and recommendations of  
14 the Secretary.

15 **SEC. 304. COLONEL CHARLES YOUNG HOME, OHIO.**

16 (a) **STUDY.**—The Secretary of the Interior (referred  
17 to in this section as the “Secretary”), in consultation with  
18 the Secretary of the Army, shall conduct a special resource  
19 study of the Colonel Charles Young Home, a National His-  
20 toric Landmark in Xenia, Ohio (referred to in this section  
21 as the “Home”).

22 (b) **CONTENTS.**—In conducting the study under sub-  
23 section (a), the Secretary shall—

24 (1) evaluate any architectural and archeological  
25 resources of the Home;

1           (2) determine the suitability and feasibility of  
2     designating the Home as a unit of the National  
3     Park System;

4           (3) consider other alternatives for preservation,  
5     protection, and interpretation of the Home by Fed-  
6     eral, State, or local governmental entities or private  
7     and nonprofit organizations, including the use of  
8     shared management agreements with the Dayton  
9     Aviation Heritage National Historical Park or spe-  
10    cific units of that Park, such as the Paul Laurence  
11    Dunbar Home;

12          (4) consult with the Ohio Historical Society,  
13    Central State University, Wilberforce University,  
14    and other interested Federal, State, or local govern-  
15    mental entities, private and nonprofit organizations,  
16    or individuals; and

17          (5) identify cost estimates for any Federal ac-  
18    quisition, development, interpretation, operation, and  
19    maintenance associated with the alternatives consid-  
20    ered under the study.

21    (c) **APPLICABLE LAW.**—The study required under  
22    subsection (a) shall be conducted in accordance with sec-  
23    tion 8 of Public Law 91–383 (16 U.S.C. 1a–5).

24    (d) **REPORT.**—Not later than 3 years after the date  
25    on which funds are first made available for the study

1 under subsection (a), the Secretary shall submit to the  
2 Committee on Natural Resources of the House of Rep-  
3 resentatives and the Committee on Energy and Natural  
4 Resources of the Senate a report that contains—

5 (1) the results of the study under subsection  
6 (a); and

7 (2) any conclusions and recommendations of the  
8 Secretary.

9 **SEC. 305. UNITED STATES CIVIL RIGHTS TRAIL.**

10 (a) **STUDY REQUIRED.**—The Secretary of the Inte-  
11 rior shall conduct a special resource study for the purpose  
12 of evaluating a range of alternatives for protecting and  
13 interpreting sites associated with the struggle for civil  
14 rights in the United States, including alternatives for po-  
15 tential addition of some or all of the sites to the National  
16 Trails System.

17 (b) **CONSULTATION.**—The Secretary shall conduct  
18 the special resource study in consultation with appropriate  
19 Federal, State, county, and local governmental entities.

20 (c) **STUDY REQUIREMENTS.**—The Secretary shall  
21 conduct the study required under subsection (a) in accord-  
22 ance with section 8(c) of Public Law 91–383 (16 U.S.C.  
23 1a–5(c)) and section 5(b) of the National Trails System  
24 Act (16 U.S.C. 1244(b)), as appropriate.



1 (d) STUDY OBJECTIVES.—In conducting the special  
2 resource study, the Secretary shall evaluate alternatives  
3 for achieving the following objectives:

4 (1) Identifying the resources and historic  
5 themes associated with the movement to secure ra-  
6 cial equality in the United States for African Ameri-  
7 cans that, focusing on the period from 1954 through  
8 1968, challenged the practice of racial segregation in  
9 the Nation and achieved equal rights for all Ameri-  
10 can citizens.

11 (2) Making a review of existing studies and re-  
12 ports, such as the Civil Rights Framework Study, to  
13 complement and not duplicate other studies of the  
14 historical importance of the civil rights movements  
15 that may be underway or undertaken.

16 (3) Establishing connections with agencies, or-  
17 ganizations, and partnerships already engaged in the  
18 preservation and interpretation of various trails and  
19 sites dealing with the civil rights movement.

20 (4) Protecting historically significant land-  
21 scapes, districts, sites, and structures.

22 (5) Identifying alternatives for preservation and  
23 interpretation of the sites by the National Park  
24 Service, other Federal, State, or local governmental  
25 entities, or private and nonprofit organizations, in-

1 including the potential inclusion of some or all of the  
2 sites in a National Civil Rights Trail.

3 (6) Identifying cost estimates for any necessary  
4 acquisition, development, interpretation, operation,  
5 and maintenance associated with the alternatives de-  
6 veloped under the special resource study.

7 (e) REPORT.—Not later than 3 years after the date  
8 on which funds are made available to carry out this sec-  
9 tion, the Secretary shall submit to the Committee on Nat-  
10 ural Resources of the House of Representatives and the  
11 Committee on Energy and Natural Resources of the Sen-  
12 ate a report containing the results of the study conducted  
13 under subsection (c) and any recommendations of the Sec-  
14 retary with respect to the route.

15 **SEC. 306. CAMP HALE, COLORADO.**

16 (a) DEFINITIONS.—In this section:

17 (1) CAMP HALE.—The term “Camp Hale”  
18 means the area comprising approximately 200,000  
19 acres on the White River and San Isabel National  
20 Forests in west-central Colorado located within por-  
21 tions of Eagle, Lake, Pitkin, and Summit counties.

22 (2) SECRETARIES.—The term “Secretaries”  
23 means the Secretary of the Interior and the Sec-  
24 retary of Agriculture, acting jointly.

1 (b) STUDY.—The Secretaries shall conduct a study  
2 of Camp Hale to determine—

3 (1) the suitability and feasibility of designating  
4 Camp Hale as a unit of the National Park System,  
5 in accordance with section 8(c) of Public Law 91–  
6 383 (16 U.S.C. 1a–5(c)); or

7 (2) any other designation or management op-  
8 tion that would provide for the protection of re-  
9 sources within Camp Hale, including continued man-  
10 agement of Camp Hale by the Forest Service.

11 (c) REQUIRED ANALYSIS.—The study under sub-  
12 section (b) shall include an analysis of—

13 (1) the significance of Camp Hale in relation to  
14 national security during World War II and the Cold  
15 War, including—

16 (A) the use of Camp Hale for training of  
17 the 10th Mountain Division and other elements  
18 of the United States Armed Forces; and

19 (B) the use of Camp Hale for training by  
20 the Central Intelligence Agency of Tibetan refu-  
21 gees seeking to resist the Chinese occupation of  
22 Tibet;

23 (2) opportunities for public enjoyment and  
24 recreation at Camp Hale; and

1           (3) any operational, management, or private  
2           property issues relating to Camp Hale.

3           (d) CONGRESSIONAL INTENT.—It is the intent of  
4 Congress that, in conducting the study under subsection  
5 (b), the Secretaries not propose any designation that  
6 would affect valid existing rights, including—

7           (1) all interstate water compacts in existence on  
8           the date of enactment of this Act (including full de-  
9           velopment of any apportionment made in accordance  
10          with the compacts);

11          (2) water rights—

12           (A) decreed at Camp Hale; or

13           (B) flowing within, below, or through  
14          Camp Hale;

15          (3) water rights in the State of Colorado;

16          (4) water rights held by the United States; and

17          (5) the management and operation of any res-  
18          ervoir, including the storage, management, release,  
19          or transportation of water.

20          (e) REPORT.—Not later than 3 years after the date  
21 on which funds are made to available to carry out this  
22 section, the Secretaries shall submit to the Committee on  
23 Energy and Natural Resources of the Senate and the  
24 Committee on Natural Resources of the House of Rep-  
25 resentatives—

1 (1) the study conducted under this section; and

2 (2) any recommendations of the Secretaries re-  
3 lating to Camp Hale.

4 (f) AUTHORIZATION OF APPROPRIATIONS.—There  
5 are authorized to be appropriated such sums as are nec-  
6 essary to carry out this section.

7 **TITLE IV—BLACK REVOLU-**  
8 **TIONARY WAR PATRIOTS ME-**  
9 **MORIAL**

10 **SEC. 401. FINDING.**

11 Congress finds that the contributions of free persons  
12 and slaves who fought during the American Revolution  
13 were of preeminent historical and lasting significance to  
14 the United States, as required by section 8908(b)(1) of  
15 title 40, United States Code.

16 **SEC. 402. DEFINITIONS.**

17 In this subtitle:

18 (1) FEDERAL LAND.—

19 (A) IN GENERAL.—The term “Federal  
20 land” means the parcel of land—

21 (i) identified as “Area I”; and

22 (ii) depicted on the map numbered  
23 869/86501B and dated June 24, 2003.

24 (B) EXCLUSION.—The term “Federal  
25 land” does not include the Reserve (as defined

1 in section 8902(a) of title 40, United States  
2 Code).

3 (2) MEMORIAL.—The term “memorial” means  
4 the memorial authorized to be established under sec-  
5 tion 403(a).

6 **SEC. 403. MEMORIAL AUTHORIZATION.**

7 (a) AUTHORIZATION.—In accordance with sub-  
8 sections (b) and (c), National Mall Liberty Fund D.C.  
9 may establish a memorial on Federal land in the District  
10 of Columbia to honor the more than 5,000 courageous  
11 slaves and free Black persons who served as soldiers and  
12 sailors or provided civilian assistance during the American  
13 Revolution.

14 (b) PROHIBITION ON USE OF FEDERAL FUNDS.—  
15 National Mall Liberty Fund D.C. may not use Federal  
16 funds to establish the memorial.

17 (c) APPLICABLE LAW.—National Mall Liberty Fund  
18 D.C. shall establish the memorial in accordance with chap-  
19 ter 89 of title 40, United States Code.

20 **SEC. 404. REPEAL OF JOINT RESOLUTIONS.**

21 Public Law 99–558 (110 Stat. 3144) and Public Law  
22 100–265 (102 Stat. 39) are repealed.

1                   **TITLE V—GENERAL**  
2                   **AUTHORITIES**  
3       **Subtitle A—Revolutionary War and**  
4       **War of 1812 American Battle-**  
5       **field Funding**

6       **SEC. 501. REVOLUTIONARY WAR AND WAR OF 1812 AMER-**  
7                   **ICAN BATTLEFIELD PROTECTION.**

8           Section 7301(c) of the Omnibus Public Land Man-  
9       agement Act of 2009 (Public Law 111–11) is amended  
10     as follows:

11           (1) In paragraph (1)—

12                   (A) by striking subparagraph (A) and in-  
13                   serting the following:

14                           “(A) **BATTLEFIELD REPORT.**—The term  
15                   “battlefield report” means, collectively—

16                                   “(i) the report entitled ‘Report on the  
17                                   Nation’s Civil War Battlefields’, prepared  
18                                   by the Civil War Sites Advisory Commis-  
19                                   sion, and dated July 1993; and

20                                   “(ii) the report entitled ‘Report to  
21                                   Congress on the Historic Preservation of  
22                                   Revolutionary War and War of 1812 Sites  
23                                   in the United States’, prepared by the Na-  
24                                   tional Park Service, and dated September  
25                                   2007.’”; and

1 (B) in subparagraph (C)(ii), by striking  
2 “Battlefield Report” and inserting “battlefield  
3 report”.

4 (2) In paragraph (2), by inserting “eligible sites  
5 or” after “acquiring”.

6 (3) In paragraph (3), by inserting “an eligible  
7 site or” after “acquire”.

8 (4) In paragraph (4), by inserting “an eligible  
9 site or” after “acquiring”.

10 (5) In paragraph (5), by striking “An” and in-  
11 sserting “An eligible site or an”.

12 (6) By redesignating paragraph (6) as para-  
13 graph (8).

14 (7) By inserting after paragraph (5) the fol-  
15 lowing new paragraphs:

16 “(6) WILLING SELLERS.—Acquisition of land  
17 or interests in land under this subsection shall be  
18 from willing sellers only.

19 “(7) REPORT.—Not later than 5 years after the  
20 date of the enactment of this subsection, the Sec-  
21 retary shall submit to Congress a report on the ac-  
22 tivities carried out under this subsection, including  
23 a description of—

24 “(A) preservation activities carried out at  
25 the battlefields and associated sites identified in



1 the battlefield report during the period between  
2 publication of the battlefield report and the re-  
3 port required under this paragraph;

4 “(B) changes in the condition of the bat-  
5 tlefields and associated sites during that period;  
6 and

7 “(C) any other relevant developments re-  
8 lating to the battlefields and associated sites  
9 during that period.”.

10 (8) By striking paragraph (8) (as redesignated  
11 by paragraph (6)) and inserting the following:

12 “(8) AUTHORIZATION OF APPROPRIATIONS.—  
13 There are authorized to be appropriated to the Sec-  
14 retary to provide grants under this subsection for  
15 each of fiscal years 2010 through 2020—

16 “(A) \$10,000,000 for the protection of  
17 Civil War battlefields; and

18 “(B) \$10,000,000 for the protection of  
19 Revolutionary War and War of 1812 battle-  
20 fields.”.

21 **Subtitle B—National Park Service**  
22 **Miscellaneous Authorizations**

23 **SEC. 511. NATIONAL PARK SYSTEM AUTHORITIES.**

24 (a) NATIONAL PARK SYSTEM ADVISORY BOARD.—

25 Section 3(f) of the Act entitled, “An Act to provide for

1 the preservation of historic American sites, buildings, ob-  
2 jects, and antiquities of national significance, and for  
3 other purposes”, approved August 21, 1935 (16 U.S.C.  
4 463(f)), is amended in the first sentence by striking  
5 “2010” and inserting “2020”.

6 (b) NATIONAL PARK SERVICE CONCESSIONS MAN-  
7 AGEMENT ADVISORY BOARD.—Section 409(d) of the Na-  
8 tional Park Service Concessions Management Improve-  
9 ment Act of 1998 (Public Law 105–391) is amended by  
10 striking “2009” and inserting “2019”.

11 (c) NATIONAL PARK SYSTEM UNIFORM PEN-  
12 ALTIES.—

13 (1) FINES AND IMPRISONMENT.—The first sec-  
14 tion of the Act entitled, “An Act to provide for the  
15 protection of national military parks, national parks,  
16 battlefield sites, national monuments, and miscella-  
17 neous memorials under the control of the War De-  
18 partment”, approved March 2, 1933 (47 Stat. 1420,  
19 ch. 180), is amended by striking “such fine and im-  
20 prisonment.” and inserting “such fine and imprison-  
21 ment; except if the violation occurs within a park,  
22 site, monument, or memorial that is part of the Na-  
23 tional Park System, where violations shall be subject  
24 to the penalty provision set forth in section 3 of the  
25 Act of August 25, 1916 (16 U.S.C. 3; commonly

1 known as the ‘National Park Service Organic Act’)  
2 and section 3571 of title 18, United States Code.”.

3 (2) COST OF PROCEEDINGS.—Section 2(k) of  
4 the Act entitled, “An Act to provide for the preser-  
5 vation of historic American sites, buildings, objects,  
6 and antiquities of national significance, and for  
7 other purposes”, approved August 21, 1935 (16  
8 U.S.C. 462(k)), is amended by striking “cost of the  
9 proceedings.” and inserting “cost of the proceedings;  
10 except if the violation occurs within an area that is  
11 part of the National Park System, where violations  
12 shall be subject to the penalty provision set forth in  
13 section 3 of the Act of August 25, 1916 (16 U.S.C.  
14 3; commonly known as the ‘National Park Service  
15 Organic Act’), and section 3571 of title 18, United  
16 States Code.”.

17 (d) VOLUNTEERS IN THE PARKS.—Section 4 of the  
18 Volunteers in the Parks Act of 1969 (16 U.S.C. 18j) is  
19 amended by striking “\$3,500,000” and inserting  
20 “\$10,000,000”.

21 **SEC. 512. PEARL HARBOR TICKETING.**

22 (a) DEFINITIONS.—In this section:

23 (1) SECRETARY.—The term “Secretary” means  
24 the Secretary of the Interior.

1           (2) PEARL HARBOR HISTORIC SITE.—The term  
2           “Pearl Harbor historic site” means a historic attrac-  
3           tion within the Pearl Harbor Naval Complex, includ-  
4           ing the USS Bowfin Submarine Museum and Park,  
5           the Battleship Missouri Memorial, the Pacific Avia-  
6           tion Museum—Pearl Harbor, and any other historic  
7           attraction that the Secretary identifies as a Pearl  
8           Harbor historic site and that is not administered or  
9           managed by the Secretary.

10           (3) VISITOR CENTER.—The term “visitor cen-  
11           ter” means the visitor center located within the  
12           Pearl Harbor Naval Complex on lands that are with-  
13           in the World War II Valor in the Pacific National  
14           Monument and managed by the Secretary through  
15           the National Park Service.

16           (b) FACILITATION OF ADMISSION TO HISTORIC AT-  
17           TRACTIONS WITHIN PEARL HARBOR NAVAL COMPLEX.—

18           (1) IN GENERAL.—The Secretary, in managing  
19           the World War II Valor in the Pacific National  
20           Monument, may enter into an agreement with the  
21           nonprofit organizations or other legally recognized  
22           entities that are authorized to administer or manage  
23           a Pearl Harbor historic site—

24                   (A) to allow visitors to a Pearl Harbor his-  
25           toric site to gain access to the site by passing

1 through security screening at the Visitor Cen-  
2 ter; and

3 (B) to allow the sale of tickets to a Pearl  
4 Harbor historic site within the Visitor Center  
5 by employees of the National Park Service or  
6 by organizations that administer or manage a  
7 Pearl Harbor historic site.

8 (2) TERMS AND CONDITIONS.—In any agree-  
9 ment entered into pursuant to this section, the Sec-  
10 retary—

11 (A) shall require the organization admin-  
12 istering or managing a Pearl Harbor historic  
13 site to pay to the Secretary a reasonable fee to  
14 recover administrative costs associated with the  
15 use of the Visitor Center for public access and  
16 ticket sales, the proceeds of which shall remain  
17 available, without further appropriation, for use  
18 by the National Park Service at the World War  
19 II Valor in the Pacific National Monument;

20 (B) shall ensure the limited liability of the  
21 United States arising from the admission of the  
22 public through the Visitor Center to a Pearl  
23 Harbor historic site and the sale or issuance of  
24 any tickets to the site; and

1 (C) may include any other terms and con-  
2 ditions the Secretary deems appropriate.

3 (3) LIMITATION OF AUTHORITY.—Under this  
4 section, the Secretary shall have no authority—

5 (A) to regulate or approve the rates for ad-  
6 mission to an attraction within the Pearl Har-  
7 bor historic site;

8 (B) to regulate or manage any visitor serv-  
9 ices of any historic sites within the Pearl Har-  
10 bor Naval Complex other than at those sites  
11 managed by the National Park Service as part  
12 of World War II Valor in the Pacific National  
13 Monument; or

14 (C) to charge an entrance fee for admis-  
15 sion to the World War II Valor in the Pacific  
16 National Monument.

17 (e) PROTECTION OF RESOURCES.—Nothing in this  
18 section authorizes the Secretary or any organization that  
19 administers or manages a Pearl Harbor historic site to  
20 take any action in derogation of the preservation and pro-  
21 tection of the values and resources of the World War II  
22 Valor in the Pacific National Monument.

23 **SEC. 513. CHANGES TO NATIONAL PARK UNITS.**

24 (a) GEORGE WASHINGTON MEMORIAL PARKWAY.—

1           (1) PURPOSE.—The purpose of this subsection  
2 is to authorize, direct, facilitate, and expedite the  
3 transfer of administrative jurisdiction of certain  
4 Federal land in accordance with the terms and con-  
5 ditions of this subsection.

6           (2) DEFINITIONS.—In this subsection:

7           (A) FARM.—The term “Farm” means the  
8 Claude Moore Colonial Farm.

9           (B) MAP.—The term “Map” means the  
10 map titled “GWMP—Claude Moore Proposed  
11 Boundary Adjustment”, numbered 850/82003,  
12 and dated April 2004. The map shall be avail-  
13 able for public inspection in the appropriate of-  
14 fices of the National Park Service, Department  
15 of the Interior.

16           (C) RESEARCH CENTER.—The term “Re-  
17 search Center” means the Federal Highway Ad-  
18 ministration’s Turner-Fairbank Highway Re-  
19 search Center.

20           (D) SECRETARY.—The term “Secretary”  
21 means the Secretary of the Interior.

22           (3) ADMINISTRATIVE JURISDICTION TRANS-  
23 FER.—

24           (A) TRANSFER OF JURISDICTION.—

1 (i) IN GENERAL.—The Secretary and  
2 the Secretary of Transportation are au-  
3 thorized to transfer administrative jurisdic-  
4 tion for approximately 0.342 acre of land  
5 under the jurisdiction of the Department  
6 of the Interior within the boundary of the  
7 George Washington Memorial Parkway,  
8 generally depicted as “B” on the Map, for  
9 approximately 0.479 acre within the  
10 boundary of the Research Center land  
11 under the jurisdiction of the Department  
12 of Transportation adjacent to the bound-  
13 ary of the George Washington Memorial  
14 Parkway, generally depicted as “A” on the  
15 Map.

16 (ii) USE RESTRICTION.—The Sec-  
17 retary shall restrict the use of 0.139 acre  
18 of land within the boundary of the George  
19 Washington Memorial Parkway imme-  
20 diately adjacent to part of the north perim-  
21 eter fence of the Research Center, gen-  
22 erally depicted as “C” on the Map, by pro-  
23 hibiting the storage, construction, or in-  
24 stallation of any item that may obstruct



1 the view from the Research Center into the  
2 George Washington Memorial Parkway.

3 (B) REIMBURSEMENT OR CONSIDER-  
4 ATION.—The transfer of administrative jurisdic-  
5 tion under this section shall occur without reim-  
6 bursement or consideration.

7 (C) COMPLIANCE WITH AGREEMENT.—

8 (i) AGREEMENT.—The National Park  
9 Service and the Federal Highway Adminis-  
10 tration shall comply with all terms and  
11 conditions of the Agreement entered into  
12 by the parties on September 11, 2002, re-  
13 garding the transfer of administrative ju-  
14 risdiction, management, and maintenance  
15 of the lands discussed in the Agreement.

16 (ii) ACCESS TO LAND.—The Secretary  
17 shall allow the Research Center access to  
18 the land the Secretary restricts under sub-  
19 paragraph (A)(ii) for purposes of mainte-  
20 nance in accordance with National Park  
21 Service standards, which includes grass  
22 mowing and weed control, tree mainte-  
23 nance, fence maintenance, and visual ap-  
24 pearance. No tree 6 inches or more in di-  
25 ameter shall be pruned or removed without

1           the advance written permission of the Sec-  
2           retary. Any pesticide use must be approved  
3           in writing by the Secretary prior to appli-  
4           cation of the pesticide.

5           (4) MANAGEMENT OF TRANSFERRED LANDS.—

6           (A) INTERIOR LAND.—The land trans-  
7           ferred to the Secretary under paragraph (3)(A)  
8           shall be included in the boundaries of the  
9           George Washington Memorial Parkway and  
10          shall be administered by the National Park  
11          Service as part of the parkway subject to appli-  
12          cable laws and regulations.

13          (B) TRANSPORTATION LAND.—The land  
14          transferred to the Secretary of Transportation  
15          under paragraph (3)(A) shall be included in the  
16          boundary of the Research Center and shall be  
17          removed from the boundary of the parkway.

18          (C) RESTRICTED-USE LAND.—The land  
19          the Secretary has designated for restricted use  
20          under paragraph (3)(A) shall be maintained by  
21          the Research Center.

22          (b) DISTRICT OF COLUMBIA SNOW REMOVAL.—Sec-  
23          tion 3 of the Act entitled, “An Act Providing for the re-  
24          moval of snow and ice from the paved sidewalks of the

1 District of Columbia”, approved September 16, 1922 (Sec.  
2 9–603, D.C. Official Code), is amended to read as follows:

3 “SEC. 3. (a) It shall be the duty of a Federal agency  
4 to remove, or cause to be removed, snow, sleet, or ice from  
5 paved sidewalks and crosswalks within the fire limits of  
6 the District of Columbia that are—

7 “(1) in front of or adjacent to buildings owned  
8 by the United States and under such Federal agen-  
9 cy’s jurisdiction; or

10 “(2) public thoroughfares in front of, around,  
11 or through public squares, reservations, or open  
12 spaces and that are owned by the United States and  
13 under such Federal agency’s jurisdiction.

14 “(b) The snow, sleet, or ice removal required by sub-  
15 section (a) shall occur within a reasonable time period  
16 after snow or sleet ceases to fall or after ice has accumu-  
17 lated. In the event that snow, sleet, or ice has hardened  
18 and cannot be removed, such Federal agency shall—

19 “(1) make the paved sidewalks and crosswalks  
20 under its jurisdiction described in subsection (a) rea-  
21 sonably safe for travel by the application of sand,  
22 ashes, salt, or other acceptable materials; and

23 “(2) as soon as practicable, thoroughly remove  
24 the snow, sleet, or ice.

1           “(c)(1) The duty of a Federal agency described in  
2 subsections (a) and (b) may be delegated to another gov-  
3 ernmental or nongovernmental entity through a lease, con-  
4 tract, or other comparable arrangement.

5           “(2) If two or more Federal agencies have overlap-  
6 ping responsibility for the same sidewalk or crosswalk they  
7 may enter into an arrangement assigning responsibility.”.

8           (c) MARTIN LUTHER KING, JR. NATIONAL HISTOR-  
9 ICAL PARK.—

10           (1) AMENDMENTS.—The Act entitled “An Act  
11 to establish the Martin Luther King, Junior, Na-  
12 tional Historic Site in the State of Georgia, and for  
13 other purposes”, approved October 10, 1980 (Public  
14 Law 96–428; 94 Stat. 1839) is amended—

15           (A) in the first section, by striking “the  
16 map entitled ‘Martin Luther King, Junior, Na-  
17 tional Historic Site Boundary Map’, number  
18 489/80,013B, and dated September 1992” and  
19 inserting “the map titled ‘Martin Luther King,  
20 Jr. National Historical Park’, numbered 489/  
21 80,032, and dated April 2009”;

22           (B) by striking “Martin Luther King, Jun-  
23 ior, National Historic Site” each place it ap-  
24 pears and inserting “Martin Luther King, Jr.  
25 National Historical Park”; and

1 (C) by striking “historic site” each place it  
2 appears and inserting “historical park”.

3 (2) REFERENCES.—Any reference in any law  
4 (other than this Act), map, regulation, document,  
5 record, or other official paper of the United States  
6 to the “Martin Luther King, Junior, National His-  
7 toric Site” shall be considered to be a reference to  
8 the “Martin Luther King, Jr. National Historical  
9 Park”.

10 (d) LAVA BEDS NATIONAL MONUMENT WILDERNESS  
11 BOUNDARY ADJUSTMENT.—The first section of the Act  
12 of October 13, 1972 (Public Law 92–493; 16 U.S.C. 1132  
13 note), is amended in the first sentence—

14 (1) by striking “That, in” and inserting the fol-  
15 lowing:

16 “SECTION 1. In”; and

17 (2) by striking “ten thousand acres” and all  
18 that follows through the end of the sentence and in-  
19 serting “10,431 acres, as depicted within the pro-  
20 posed wilderness boundary on the map titled ‘Lava  
21 Beds National Monument, Proposed Wilderness  
22 Boundary Adjustment’, numbered 147/80,015, and  
23 dated September 2005, and those lands within the  
24 area generally known as the ‘Schonchin Lava Flow’,  
25 comprising approximately 18,029 acres, as depicted

1 within the proposed wilderness boundary on the  
2 map, are designated as wilderness.”.

3 **SEC. 514. TECHNICAL CORRECTIONS.**

4 (a) BALTIMORE NATIONAL HERITAGE AREA.—The  
5 Omnibus Public Land Management Act of 2009 (Public  
6 Law 111–11) is amended—

7 (1) in sections 8005(b)(3) and 8005(b)(4) by  
8 striking “Baltimore Heritage Area Association” and  
9 inserting “Baltimore City Heritage Area Associa-  
10 tion”; and

11 (2) in section 8005(i) by striking “EFFECTIVE-  
12 NESS” and inserting “FINANCIAL ASSISTANCE”.

13 (b) MUSCLE SHOALS NATIONAL HERITAGE AREA.—  
14 Section 8009(j) of the Omnibus Public Land Management  
15 Act of 2009 is amended by striking “EFFECTIVENESS”  
16 and inserting “FINANCIAL ASSISTANCE”.

17 (c) SNAKE RIVER HEADWATERS.—Section  
18 5002(c)(1) of the Omnibus Public Land Management Act  
19 of 2009 is amended by striking “paragraph (205) of sec-  
20 tion 3(a)” each place it appears and inserting “paragraph  
21 (206) of section 3(a)”.

22 (d) TAUNTON RIVER.—Section 5003(b) of the Omni-  
23 bus Public Land Management Act of 2009 is amended by  
24 striking “section 3(a)(206)” each place it appears and in-  
25 serting “section 3(a)(207)”.

1 (e) CUMBERLAND ISLAND NATIONAL SEASHORE.—  
2 Section 6(b) of the Act titled “An Act to establish the  
3 Cumberland Island National Seashore in the State of  
4 Georgia, and for other purposes” (Public Law 92–536)  
5 is amended by striking “physiographic conditions not pre-  
6 vailing” and inserting “physiographic conditions now pre-  
7 vailing”.

8 (f) NIAGARA FALLS NATIONAL HERITAGE AREA.—  
9 Section 427(k) of the Consolidated Natural Resources Act  
10 of 2008 (Public Law 110–229) is amended by striking  
11 “Except as provided for the leasing of administrative fa-  
12 cilities under subsection (g)(1), the” and inserting “The”.

13 **DIVISION B—NATIONAL WILDER-**  
14 **NESS PRESERVATION SYSTEM**  
15 **TITLE XX—ORGAN MOUNTAINS-**  
16 **DESERT PEAKS WILDERNESS**

17 **SEC. 2001. DEFINITIONS.**

18 In this title:

19 (1) CONSERVATION AREA.—The term “Con-  
20 servation Area” means each of the Organ Mountains  
21 National Conservation Area and the Desert Peaks  
22 National Conservation Area established by section  
23 2003(a).

1           (2) MANAGEMENT PLAN.—The term “manage-  
2           ment plan” means the management plan for the  
3           Conservation Areas developed under section 2003(d).

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

6           (4) STATE.—The term “State” means the State  
7           of New Mexico.

8   **SEC. 2002. DESIGNATION OF WILDERNESS AREAS.**

9           (a) IN GENERAL.—In accordance with the Wilderness  
10          Act (16 U.S.C. 1131 et seq.), the following areas in the  
11          State are designated as wilderness and as components of  
12          the National Wilderness Preservation System:

13           (1) ADEN LAVA FLOW WILDERNESS.—Certain  
14          land administered by the Bureau of Land Manage-  
15          ment in Doña Ana County comprising approximately  
16          27,650 acres, as generally depicted on the map enti-  
17          tled “Potrillo Mountains Complex” and dated May  
18          18, 2010, which shall be known as the “Aden Lava  
19          Flow Wilderness”.

20           (2) BROAD CANYON WILDERNESS.—Certain  
21          land administered by the Bureau of Land Manage-  
22          ment in Doña Ana County comprising approximately  
23          13,900 acres, as generally depicted on the map enti-  
24          tled “Desert Peaks National Conservation Area”



1 and dated May 18, 2010, which shall be known as  
2 the “Broad Canyon Wilderness”.

3 (3) CINDER CONE WILDERNESS.—Certain land  
4 administered by the Bureau of Land Management in  
5 Doña Ana County comprising approximately 16,950  
6 acres, as generally depicted on the map entitled  
7 “Potrillo Mountains Complex” and dated May 18,  
8 2010, which shall be known as the “Cinder Cone  
9 Wilderness”.

10 (4) ORGAN MOUNTAINS WILDERNESS.—Certain  
11 land administered by the Bureau of Land Manage-  
12 ment in Doña Ana County comprising approximately  
13 19,400 acres, as generally depicted on the map enti-  
14 tled “Organ Mountains National Conservation Area”  
15 and dated June 22, 2010, which shall be known as  
16 the “Organ Mountains Wilderness”.

17 (5) POTRILLO MOUNTAINS WILDERNESS.—Cer-  
18 tain land administered by the Bureau of Land Man-  
19 agement in Doña Ana and Luna counties comprising  
20 approximately 125,850 acres, as generally depicted  
21 on the map entitled “Potrillo Mountains Complex”  
22 and dated May 18, 2010, which shall be known as  
23 the “Potrillo Mountains Wilderness”.

24 (6) ROBLEDO MOUNTAINS WILDERNESS.—Cer-  
25 tain land administered by the Bureau of Land Man-

1       agement in Doña Ana County comprising approxi-  
2       mately 16,950 acres, as generally depicted on the  
3       map entitled “Desert Peaks National Conservation  
4       Area” and dated May 18, 2010, which shall be  
5       known as the “Robledo Mountains Wilderness”.

6               (7) SIERRA DE LAS UVAS WILDERNESS.—Cer-  
7       tain land administered by the Bureau of Land Man-  
8       agement in Doña Ana County comprising approxi-  
9       mately 11,100 acres, as generally depicted on the  
10      map entitled “Desert Peaks National Conservation  
11      Area” and dated May 18, 2010, which shall be  
12      known as the “Sierra de las Uvas Wilderness”.

13              (8) WHITETHORN WILDERNESS.—Certain land  
14      administered by the Bureau of Land Management in  
15      Doña Ana and Luna counties comprising approxi-  
16      mately 9,600 acres, as generally depicted on the  
17      map entitled “Potrillo Mountains Complex” and  
18      dated May 18, 2010, which shall be known as the  
19      “Whitethorn Wilderness”.

20              (b) MANAGEMENT.—Subject to valid existing rights,  
21      the wilderness areas designated by subsection (a) shall be  
22      administered by the Secretary in accordance with this title  
23      and the Wilderness Act (16 U.S.C. 1131 et seq.) except  
24      that—

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

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

7           (c) INCORPORATION OF ACQUIRED LAND AND INTER-  
8           ESTS IN LAND.—Any land or interest in land that is with-  
9           in the boundary of a wilderness area designated by sub-  
10          section (a) that is acquired by the United States shall—

11          (1) become part of the wilderness area within  
12          the boundaries of which the land is located; and

13          (2) be managed in accordance with—

14                  (A) the Wilderness Act (16 U.S.C. 1131 et  
15                  seq.);

16                  (B) this title; and

17                  (C) any other applicable laws.

18          (d) GRAZING.—Grazing of livestock in the wilderness  
19          areas designated by subsection (a), where established be-  
20          fore the date of enactment of this Act, shall be adminis-  
21          tered in accordance with—

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

24          (2) the guidelines set forth in Appendix A of  
25          the Report of the Committee on Interior and Insular

1 Affairs to accompany H.R. 2570 of the 101st Con-  
2 gress (H. Rept. 101–405).

3 (e) MILITARY OVERFLIGHTS.—Nothing in this sec-  
4 tion restricts or precludes—

5 (1) low-level overflights of military aircraft over  
6 the wilderness areas designated by subsection (a),  
7 including military overflights that can be seen or  
8 heard within the wilderness areas;

9 (2) the designation of new units of special air-  
10 space over the wilderness areas or wilderness addi-  
11 tions designated by this title; or

12 (3) the use or establishment of military flight  
13 training routes over wilderness areas or wilderness  
14 additions designated by this title.

15 (f) BUFFER ZONES.—

16 (1) IN GENERAL.—Nothing in this section cre-  
17 ates a protective perimeter or buffer zone around  
18 any wilderness area designated by subsection (a).

19 (2) ACTIVITIES OUTSIDE WILDERNESS  
20 AREAS.—The fact that an activity or use on land  
21 outside any wilderness area designated by subsection  
22 (a) can be seen or heard within the wilderness area  
23 shall not preclude the activity or use outside the  
24 boundary of the wilderness area.

1 (g) PERMIT AUTHORIZATION.—The Secretary may  
2 continue to authorize the competitive running event per-  
3 mitted from 1970 through 2010 in the vicinity of the  
4 boundaries of the Organ Mountains Wilderness designated  
5 by subsection (a)(4) in a manner compatible with the pres-  
6 ervation of the area as wilderness.

7 (h) POTENTIAL WILDERNESS AREA.—

8 (1) ROBLEDO MOUNTAINS POTENTIAL WILDER-  
9 NESS AREA.—

10 (A) IN GENERAL.—Certain land adminis-  
11 tered by the Bureau of Land Management,  
12 comprising approximately 100 acres as gen-  
13 erally depicted as “Potential Wilderness” on the  
14 map entitled “Desert Peaks National Conserva-  
15 tion Area” and dated May 18, 2010, is des-  
16 igned as a potential wilderness area.

17 (B) USES.—The Secretary shall permit  
18 only such uses on the land described in sub-  
19 paragraph (A) that were permitted on the date  
20 of enactment of this Act.

21 (C) DESIGNATION AS WILDERNESS.—

22 (i) IN GENERAL.—On the date on  
23 which the Secretary publishes in the Fed-  
24 eral Register the notice described in clause

1 (ii), the potential wilderness area des-  
2 ignated under subparagraph (A) shall be—

3 (I) designated as wilderness and  
4 as a component of the National Wil-  
5 derness Preservation System; and

6 (II) incorporated into the  
7 Robledo Mountains Wilderness des-  
8 ignated by subsection (a)(6).

9 (ii) NOTICE.—The notice referred to  
10 in clause (i) is notice that—

11 (I) the communications site with-  
12 in the potential wilderness area des-  
13 ignated under subparagraph (A) is no  
14 longer used;

15 (II) the associated right-of-way is  
16 relinquished or not renewed; and

17 (III) the conditions in the poten-  
18 tial wilderness area designated by sub-  
19 paragraph (A) are compatible with the  
20 Wilderness Act (16 U.S.C. 1131 et  
21 seq.).

22 (i) RELEASE OF WILDERNESS STUDY AREAS.—Con-  
23 gress finds that, for purposes of section 603(c) of the Fed-  
24 eral Land Policy and Management Act of 1976 (43 U.S.C.  
25 1782(c)), the public land in Doña Ana County adminis-

1 tered by the Bureau of Land Management not designated  
2 as wilderness by subsection (a)—

3 (1) has been adequately studied for wilderness  
4 designation;

5 (2) is no longer subject to section 603(c) of the  
6 Federal Land Policy and Management Act of 1976  
7 (43 U.S.C. 1782(c)); and

8 (3) shall be managed in accordance with—

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

11 (B) this title; and

12 (C) any other applicable laws.

13 **SEC. 2003. ESTABLISHMENT OF NATIONAL CONSERVATION**  
14 **AREAS.**

15 (a) **ESTABLISHMENT.**—The following areas in the  
16 State are established as National Conservation Areas:

17 (1) **ORGAN MOUNTAINS NATIONAL CONSERVA-**  
18 **TION AREA.**—Certain land administered by the Bu-  
19 reau of Land Management in Doña Ana County  
20 comprising approximately 84,950 acres, as generally  
21 depicted on the map entitled “Organ Mountains Na-  
22 tional Conservation Area” and dated June 22, 2010,  
23 which shall be known as the “Organ Mountains Na-  
24 tional Conservation Area”.

1           (2) DESERT PEAKS NATIONAL CONSERVATION  
2           AREA.—Certain land administered by the Bureau of  
3           Land Management in Doña Ana County comprising  
4           approximately 75,550 acres, as generally depicted on  
5           the map entitled “Desert Peaks National Conserva-  
6           tion Area” and dated May 18, 2010, which shall be  
7           known as the “Desert Peaks National Conservation  
8           Area”.

9           (b) PURPOSES.—The purposes of the Conservation  
10          Areas are to conserve, protect, and enhance for the benefit  
11          and enjoyment of present and future generations the cul-  
12          tural, archaeological, natural, geological, historical, eco-  
13          logical, watershed, wildlife, educational, recreational, and  
14          scenic resources of the Conservation Areas.

15          (c) MANAGEMENT.—

16               (1) IN GENERAL.—The Secretary shall manage  
17          the Conservation Areas—

18                       (A) in a manner that conserves, protects,  
19                       and enhances the resources of the Conservation  
20                       Areas; and

21                       (B) in accordance with—

22                               (i) the Federal Land Policy and Man-  
23                               agement Act of 1976 (43 U.S.C. 1701 et  
24                               seq.);

25                               (ii) this title; and



1 (iii) any other applicable laws.

2 (2) USES.—

3 (A) IN GENERAL.—The Secretary shall  
4 allow only such uses of the Conservation Areas  
5 that the Secretary determines would further the  
6 purposes described in subsection (b).

7 (B) USE OF MOTORIZED VEHICLES.—

8 (i) IN GENERAL.—Except as needed  
9 for administrative purposes or to respond  
10 to an emergency, the use of motorized ve-  
11 hicles in the Conservation Areas shall be  
12 permitted only on roads designated for use  
13 by motorized vehicles in the management  
14 plan.

15 (ii) NEW ROADS.—No additional road  
16 shall be built within the Conservation  
17 Areas after the date of enactment of this  
18 Act unless the road is necessary for public  
19 safety or natural resource protection.

20 (C) GRAZING.—The Secretary shall permit  
21 grazing within the Conservation Areas, where  
22 established before the date of enactment of this  
23 Act—

1 (i) subject to all applicable laws (in-  
2 cluding regulations) and Executive orders;  
3 and

4 (ii) consistent with the purposes de-  
5 scribed in subsection (b).

6 (D) UTILITY RIGHT-OF-WAY UPGRADES.—

7 Nothing in this section precludes the Secretary  
8 from renewing or authorizing the upgrading  
9 (including widening) of a utility right-of-way in  
10 existence as of the date of enactment of this  
11 Act through the Organ Mountains National  
12 Conservation Area—

13 (i) in accordance with—

14 (I) the National Environmental  
15 Policy Act of 1969 (42 U.S.C. 4321  
16 et seq.); and

17 (II) any other applicable law; and

18 (ii) subject to such terms and condi-  
19 tions as the Secretary determines to be ap-  
20 propriate.

21 (d) MANAGEMENT PLAN.—

22 (1) IN GENERAL.—Not later than 3 years after  
23 the date of enactment of this Act, the Secretary  
24 shall develop a management plan for each of the  
25 Conservation Areas.

1           (2) CONSULTATION.—The management plans  
2 shall be developed in consultation with—

3                   (A) interested Federal agencies;

4                   (B) State, tribal, and local governments;

5           and

6                   (C) the public.

7           (3) CONSIDERATIONS.—In preparing and imple-  
8 menting the management plans, the Secretary shall  
9 consider the recommendations of Indian tribes and  
10 pueblos on methods for providing access to, and pro-  
11 tection for, traditional cultural and religious sites in  
12 the Conservation Areas.

13       (e) INCORPORATION OF ACQUIRED LAND AND INTER-  
14 ESTS IN LAND.—Any land or interest in land that is with-  
15 in the boundary of a Conservation Area designated by sub-  
16 section (a) that is acquired by the United States shall—

17                   (1) become part of the Conservation Area with-  
18 in the boundaries of which the land is located; and

19                   (2) be managed in accordance with—

20                           (A) this title; and

21                           (B) any other applicable laws.

22       (f) TRANSFER OF ADMINISTRATIVE JURISDICTION.—  
23 On the date of enactment of this Act, administrative juris-  
24 diction over the approximately 2,050 acres of land gen-  
25 erally depicted as “Transfer from DOD to BLM” on the

1 map entitled “Organ Mountains National Conservation  
2 Area” and dated June 22, 2010, shall—

3 (1) be transferred from the Secretary of De-  
4 fense to the Secretary;

5 (2) become part of the Organ Mountains Na-  
6 tional Conservation Area; and

7 (3) be managed in accordance with—

8 (A) this title; and

9 (B) any other applicable laws.

10 **SEC. 2004. GENERAL PROVISIONS.**

11 (a) MAPS AND LEGAL DESCRIPTIONS.—

12 (1) IN GENERAL.—As soon as practicable after  
13 the date of enactment of this Act, the Secretary  
14 shall file maps and legal descriptions of the Con-  
15 servation Areas and the wilderness areas designated  
16 by this title with—

17 (A) the Committee on Energy and Natural  
18 Resources of the Senate; and

19 (B) the Committee on Natural Resources  
20 of the House of Representatives.

21 (2) FORCE OF LAW.—The maps and legal de-  
22 scriptions filed under paragraph (1) shall have the  
23 same force and effect as if included in this title, ex-  
24 cept that the Secretary may correct errors in the  
25 maps and legal descriptions.

1           (3) PUBLIC AVAILABILITY.—The maps and  
2           legal descriptions filed under paragraph (1) shall be  
3           on file and available for public inspection in the ap-  
4           propriate offices of the Bureau of Land Manage-  
5           ment.

6           (b) NATIONAL LANDSCAPE CONSERVATION SYS-  
7           TEM.—The Conservation Areas and the wilderness areas  
8           designated by this title shall be administered as compo-  
9           nents of the National Landscape Conservation System.

10          (c) FISH AND WILDLIFE.—Nothing in this title af-  
11          fects the jurisdiction of the State with respect to fish and  
12          wildlife located on public land in the State, except that  
13          the Secretary, after consultation with the New Mexico De-  
14          partment of Game and Fish, may designate zones where,  
15          and establish periods during which, hunting, or fishing  
16          shall not be allowed for reasons of public safety, adminis-  
17          tration, the protection for nongame species and their habi-  
18          tats, or public use and enjoyment.

19          (d) WITHDRAWALS.—

20                (1) IN GENERAL.—Subject to valid existing  
21                rights, the Federal land within the Conservation  
22                Areas, the wilderness areas designated by this title,  
23                and any land or interest in land that is acquired by  
24                the United States in the Conservation Areas or wil-

1           derness areas after the date of enactment of this Act  
2           is withdrawn from—

3                   (A) entry, appropriation, or disposal under  
4                   the public land laws;

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

7                   (C) operation of the mineral leasing, min-  
8                   eral materials, and geothermal leasing laws.

9           (2) PARCEL A.—The approximately 1,300 acres  
10           of land generally depicted as “Parcel A” on the map  
11           entitled “Organ Mountains National Conservation  
12           Area” and dated June 22, 2010, is withdrawn in ac-  
13           cordance with paragraph (1), except that the land is  
14           not withdrawn from disposal under the Act of June  
15           14, 1926 (commonly known as the “Recreation and  
16           Public Purposes Act”) (43 U.S.C. 869 et seq.).

17           (3) PARCEL B.—The approximately 6,500 acres  
18           of land generally depicted as “Parcel B” on the map  
19           entitled “Organ Mountains National Conservation  
20           Area” and dated June 22, 2010, is withdrawn in ac-  
21           cordance with paragraph (1), except that the land is  
22           not withdrawn for purposes of the issuance of oil  
23           and gas pipeline rights-of-way.

1 **SEC. 2005. PREHISTORIC TRACKWAYS NATIONAL MONU-**  
2 **MENT BOUNDARY ADJUSTMENT.**

3 Section 2103 of the Omnibus Public Land Manage-  
4 ment Act of 2009 (16 U.S.C. 431 note; Public Law 111-  
5 11; 123 Stat. 1097) is amended by striking subsection (b)  
6 and inserting the following:

7 “(b) DESCRIPTION OF LAND.—The Monument shall  
8 consist of approximately 5,750 acres of public land in  
9 Donã Ana County, New Mexico, as generally depicted on  
10 the map entitled ‘Desert Peaks National Conservation  
11 Area’ and dated May 18, 2010.”.

12 **SEC. 2006. BORDER SECURITY.**

13 (a) IN GENERAL.—Nothing in this title—

14 (1) prevents the Secretary of Homeland Secu-  
15 rity from undertaking law enforcement and border  
16 security activities, in accordance with section 4(c) of  
17 the Wilderness Act (16 U.S.C. 1133(c)), within the  
18 areas designated as wilderness by this title, includ-  
19 ing the ability to use motorized access within a wil-  
20 derness area while in pursuit of a suspect;

21 (2) affects the 2006 Memorandum of Under-  
22 standing among the Department of Homeland Secu-  
23 rity, the Department of the Interior, and the De-  
24 partment of Agriculture regarding cooperative na-  
25 tional security and counterterrorism efforts on Fed-  
26 eral land along the borders of the United States; or

1           (3) prevents the Secretary of Homeland Secu-  
2           rity from conducting any low-level overflights over  
3           the wilderness areas designated by this title that  
4           may be necessary for law enforcement and border  
5           security purposes.

6           (b) RESTRICTED USE AREA.—

7           (1) WITHDRAWAL.—The area identified as “Re-  
8           stricted Use Area” on the map entitled “Potrillo  
9           Mountains Complex” and dated May 18, 2010 is  
10          withdrawn in accordance with section 2004(d)(1).

11          (2) ADMINISTRATION.—Except as provided in  
12          paragraphs (3) and (4), the Secretary shall admin-  
13          ister the area described in paragraph (1) in a man-  
14          ner that, to the maximum extent practicable, pro-  
15          tects the wilderness character of the area.

16          (3) USE OF MOTOR VEHICLES.—The use of  
17          motor vehicles, motorized equipment, and mechan-  
18          ical transport shall be prohibited in the area de-  
19          scribed in paragraph (1) except as necessary for—

20                 (A) the administration of the area (includ-  
21                 ing the conduct of law enforcement and border  
22                 security activities in the area); or

23                 (B) grazing uses by authorized permittees.

24          (4) EFFECT OF SUBSECTION.—Nothing in this  
25          subsection precludes the Secretary from allowing



1 within the area described in paragraph (1) the in-  
2 stallation and maintenance of communication or sur-  
3 veillance infrastructure necessary for law enforce-  
4 ment or border security activities.

5 (c) RESTRICTED ROUTE.—The route excluded from  
6 the Potrillo Mountains Wilderness identified as “Re-  
7 stricted—Administrative Access” on the map entitled  
8 “Potrillo Mountains Complex” and dated May 18, 2010,  
9 shall be—

10 (1) closed to public access; but

11 (2) available for administrative and law enforce-  
12 ment uses, including border security activities.

13 **SEC. 2007. AUTHORIZATION OF APPROPRIATIONS.**

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

16 **TITLE XXI—ALPINE LAKES**  
17 **WILDERNESS ADDITIONS**

18 **SEC. 2101. EXPANSION OF ALPINE LAKES WILDERNESS.**

19 (a) IN GENERAL.—There is designated as wilderness  
20 and as a component of the National Wilderness Preserva-  
21 tion System certain Federal land in the Mount Baker-  
22 Snoqualmie National Forest in the State of Washington  
23 comprising approximately 22,173 acres that is within the  
24 Proposed Alpine Lakes Wilderness Additions Boundary,  
25 as generally depicted on the map entitled “Proposed Al-

1 pine Lakes Wilderness Additions” and dated December 3,  
2 2009, which is incorporated in and shall be considered to  
3 be a part of the Alpine Lakes Wilderness.

4 (b) ADMINISTRATION.—

5 (1) MANAGEMENT.—Subject to valid existing  
6 rights, the land designated as wilderness by sub-  
7 section (a) shall be administered by the Secretary of  
8 Agriculture (referred to in this section as the “Sec-  
9 retary”), in accordance with the Wilderness Act (16  
10 U.S.C. 1131 et seq.), except that any reference in  
11 that Act to the effective date of that Act shall be  
12 considered to be a reference to the date of enact-  
13 ment of this Act.

14 (2) MAP AND DESCRIPTION.—

15 (A) IN GENERAL.—As soon as practicable  
16 after the date of enactment of this Act, the Sec-  
17 retary shall file a map and a legal description  
18 of the land designated as wilderness by sub-  
19 section (a) with—

20 (i) the Committee on Natural Re-  
21 sources of the House of Representatives;  
22 and

23 (ii) the Committee on Energy and  
24 Natural Resources of the Senate.

1 (B) FORCE OF LAW.—A map and legal de-  
2 scription filed under subparagraph (A) shall  
3 have the same force and effect as if included in  
4 this Act, except that the Secretary may correct  
5 minor errors in the map and legal description.

6 (C) PUBLIC AVAILABILITY.—The map and  
7 legal description filed under subparagraph (A)  
8 shall be filed and made available for public in-  
9 spection in the appropriate office of the Forest  
10 Service.

11 (c) INCORPORATION OF ACQUIRED LAND AND INTER-  
12 ESTS IN LAND.—Any land or interests in land within the  
13 Proposed Alpine Lakes Wilderness Additions Boundary,  
14 as generally depicted on the map entitled “Proposed Al-  
15 pine Lakes Wilderness Additions” and dated December 3,  
16 2009, that is acquired by the United States shall—

17 (1) become part of the wilderness area; and

18 (2) be managed in accordance with subsection

19 (b)(1).

20 **SEC. 2102. WILD AND SCENIC RIVER DESIGNATIONS.**

21 Section 3(a) of the Wild and Scenic Rivers Act (16  
22 U.S.C. 1274(a)) (as amended by section 205(a)) is amend-  
23 ed by adding at the end the following:

24 “(209) MIDDLE FORK SNOQUALMIE, WASH-  
25 INGTON.—The 27.4-mile segment from the head-

1 waters of the Middle Fork Snoqualmie River near  
2 La Bohn Gap in NE  $\frac{1}{4}$  sec. 20, T. 24 N., R. 13  
3 E., to the northern boundary of sec. 11, T. 23 N.,  
4 R. 9 E., to be administered by the Secretary of Agri-  
5 culture in the following classifications:

6 “(A) The approximately 6.4-mile segment  
7 from the headwaters of the Middle Fork  
8 Snoqualmie River near La Bohn Gap in NE  $\frac{1}{4}$   
9 sec. 20, T. 24 N., R. 13 E., to the west section  
10 line of sec. 3, T. 23 N., R. 12 E., as a wild  
11 river.

12 “(B) The approximately 21-mile segment  
13 from the west section line of sec. 3, T. 23 N.,  
14 R. 12 E., to the northern boundary of sec. 11,  
15 T. 23 N., R. 9 E., as a scenic river.

16 “(210) PRATT RIVER, WASHINGTON.—The en-  
17 tirety of the Pratt River in the State of Washington,  
18 located in the Mount Baker-Snoqualmie National  
19 Forest, to be administered by the Secretary of Agri-  
20 culture as a wild river.”.

## 21 **TITLE XXII—DEVIL’S STAIRCASE** 22 **WILDERNESS**

### 23 **SEC. 2201. DEFINITIONS.**

24 In this title:

1           (1) MAP.—The term “map” means the map en-  
2           titled “Devil’s Staircase Wilderness Proposal” and  
3           dated June 15, 2010.

4           (2) SECRETARY.—The term “Secretary”  
5           means—

6                   (A) with respect to land under the jurisdic-  
7                   tion of the Secretary of Agriculture, the Sec-  
8                   retary of Agriculture; and

9                   (B) with respect to land under the jurisdic-  
10                  tion of the Secretary of the Interior, the Sec-  
11                  retary of the Interior.

12           (3) STATE.—The term “State” means the State  
13           of Oregon.

14           (4) WILDERNESS.—The term “Wilderness”  
15           means the Devil’s Staircase Wilderness designated  
16           by section 2202(a).

17 **SEC. 2202. DEVIL’S STAIRCASE WILDERNESS, OREGON.**

18           (a) DESIGNATION.—In accordance with the Wilder-  
19           ness Act (16 U.S.C. 1131 et seq.), the approximately  
20           30,540 acres of Forest Service land and Bureau of Land  
21           Management land in the State, as generally depicted on  
22           the map, is designated as wilderness and as a component  
23           of the National Wilderness Preservation System, to be  
24           known as the “Devil’s Staircase Wilderness”.

25           (b) MAP; LEGAL DESCRIPTION.—

1           (1) IN GENERAL.—As soon as practicable after  
2 the date of enactment of this Act, the Secretary  
3 shall prepare a map and legal description of the Wil-  
4 derness.

5           (2) FORCE OF LAW.—The map and legal de-  
6 scription prepared under paragraph (1) shall have  
7 the same force and effect as if included in this title,  
8 except that the Secretary may correct clerical and  
9 typographical errors in the map and legal descrip-  
10 tion.

11          (3) AVAILABILITY.—The map and legal descrip-  
12 tion prepared under paragraph (1) shall be on file  
13 and available for public inspection in the appropriate  
14 offices of the Forest Service and Bureau of Land  
15 Management.

16          (c) ADMINISTRATION.—Subject to valid existing  
17 rights, the area designated as wilderness by this section  
18 shall be administered by the Secretary in accordance with  
19 the Wilderness Act (16 U.S.C. 1131 et seq.), except  
20 that—

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

24           (2) any reference in that Act to the Secretary  
25 of Agriculture shall be considered to be a reference

1 to the Secretary that has jurisdiction over the land  
2 within the Wilderness.

3 (d) FISH AND WILDLIFE.—Nothing in this section  
4 affects the jurisdiction or responsibilities of the State with  
5 respect to fish and wildlife in the State.

6 (e) ADJACENT MANAGEMENT.—

7 (1) IN GENERAL.—Nothing in this section cre-  
8 ates any protective perimeter or buffer zone around  
9 the Wilderness.

10 (2) ACTIVITIES OUTSIDE WILDERNESS.—The  
11 fact that a nonwilderness activity or use on land out-  
12 side the Wilderness can be seen or heard within the  
13 Wilderness shall not preclude the activity or use out-  
14 side the boundary of the Wilderness.

15 (f) PROTECTION OF TRIBAL RIGHTS.—Nothing in  
16 this section diminishes any treaty rights of an Indian  
17 tribe.

18 (g) TRANSFER OF ADMINISTRATIVE JURISDIC-  
19 TION.—

20 (1) IN GENERAL.—Administrative jurisdiction  
21 over the approximately 49 acres of Bureau of Land  
22 Management land north of the Umpqua River in sec.  
23 32, T. 21 S., R. 11 W, is transferred from the Bu-  
24 reau of Land Management to the Forest Service.

1           (2) ADMINISTRATION.—The Secretary shall ad-  
2 minister the land transferred by paragraph (1) in  
3 accordance with—

4           (A) the Act of March 1, 1911 (commonly  
5 known as the “Weeks Law”) (16 U.S.C. 480 et  
6 seq.); and

7           (B) any laws (including regulations) appli-  
8 cable to the National Forest System.

9 **SEC. 2203. WILD AND SCENIC RIVER DESIGNATIONS,**  
10 **WASSON CREEK AND FRANKLIN CREEK, OR-**  
11 **EGON.**

12       Section 3(a) of the Wild and Scenic Rivers Act (16  
13 U.S.C. 1274(a)) (as amended by section 2102) is amended  
14 by adding at the end the following:

15           “(211) FRANKLIN CREEK, OREGON.—The 4.5-  
16 mile segment from its headwaters to the line of  
17 angle points within sec. 8, T. 22 S., R. 10 W.,  
18 shown on the survey recorded in the Official Records  
19 of Douglas County, Oregon, as M64-62, to be ad-  
20 ministered by the Secretary of Agriculture as a wild  
21 river.

22           “(212) WASSON CREEK, OREGON.—The 10.1-  
23 mile segment in the following classes:

24           “(A) The 4.2-mile segment from the east-  
25 ern boundary of sec. 17, T. 21 S., R. 9 W.,



1 downstream to the western boundary of sec. 12,  
2 T. 21 S., R. 10 W., to be administered by the  
3 Secretary of the Interior as a wild river.

4 “(B) The 5.9-mile segment from the west-  
5 ern boundary of sec. 12, T. 21 S., R. 10 W.,  
6 downstream to the eastern boundary of the  
7 northwest quarter of sec. 22, T. 21 S., R. 10  
8 W., to be administered by the Secretary of Ag-  
9 riculture as a wild river.”.

10 **TITLE XXIII—IDAHO**  
11 **WILDERNESS WATER FACILITIES**

12 **SEC. 2301. TREATMENT OF EXISTING WATER DIVERSIONS**  
13 **IN FRANK CHURCH-RIVER OF NO RETURN**  
14 **WILDERNESS AND SELWAY-BITTERROOT WIL-**  
15 **DERNESS, IDAHO.**

16 (a) **AUTHORIZATION FOR CONTINUED USE.**—The  
17 Secretary of Agriculture is authorized to issue a special  
18 use authorization to each of the 20 owners of a water stor-  
19 age, transport, or diversion facility (in this section referred  
20 to as a “facility”) located on National Forest System land  
21 in the Frank Church-River of No Return Wilderness or  
22 the Selway-Bitterroot Wilderness (as identified on the  
23 map titled “Unauthorized Private Water Diversions lo-  
24 cated within the Frank Church River of No Return Wil-  
25 derness”, dated December 14, 2009, or the map titled

1 “Unauthorized Private Water Diversions located within  
2 the Selway-Bitterroot Wilderness”, dated December 11,  
3 2009) for the continued operation, maintenance, and re-  
4 construction of the facility if the Secretary determines  
5 that—

6 (1) the facility was in existence on the date on  
7 which the land upon which the facility is located was  
8 designated as part of the National Wilderness Pres-  
9 ervation System (in this section referred to as “the  
10 date of designation”);

11 (2) the facility has been in substantially contin-  
12 uous use to deliver water for the beneficial use on  
13 the owner’s non-Federal land since the date of des-  
14 ignation;

15 (3) the owner of the facility holds a valid water  
16 right for use of the water on the owner’s non-Fed-  
17 eral land under Idaho State law, with a priority date  
18 that predates the date of designation; and

19 (4) it is not practicable or feasible to relocate  
20 the facility to land outside of the wilderness and  
21 continue the beneficial use of water on the non-Fed-  
22 eral land recognized under State law.

23 (b) TERMS AND CONDITIONS.—

24 (1) EQUIPMENT, TRANSPORT, AND USE TERMS  
25 AND CONDITIONS.—In a special use authorization

1 issued under subsection (a), the Secretary is author-  
2 ized to—

3 (A) allow use of motorized equipment and  
4 mechanized transport for operation, mainte-  
5 nance, or reconstruction of a facility, if the Sec-  
6 retary determines that—

7 (i) the use is necessary to allow the  
8 facility to continue delivery of water to the  
9 non-Federal land for the beneficial uses  
10 recognized by the water right held under  
11 Idaho State law; and

12 (ii) after conducting a minimum tool  
13 analysis for the facility, the use of non-  
14 motorized equipment and nonmechanized  
15 transport is impracticable or infeasible;  
16 and

17 (B) preclude use of the facility for the  
18 storage, diversion, or transport of water in ex-  
19 cess of the water right recognized by the State  
20 of Idaho on the date of designation.

21 (2) ADDITIONAL TERMS AND CONDITIONS.—In  
22 a special use authorization issued under subsection  
23 (a), the Secretary is authorized to—

24 (A) require or allow modification or reloca-  
25 tion of the facility in the wilderness, as the Sec-

1           retary determines necessary, to reduce impacts  
2           to wilderness values set forth in section 2 of the  
3           Wilderness Act (16 U.S.C. 1131) if the bene-  
4           ficial use of water on the non-Federal land is  
5           not diminished; and

6                   (B) require that the owner provide a recip-  
7           rocal right of access across the non-Federal  
8           property, in which case, the owner shall receive  
9           market value for any right-of-way or other in-  
10          terest in real property conveyed to the United  
11          States, and market value may be paid by the  
12          Secretary, in whole or in part, by the grant of  
13          a reciprocal right-of-way, or by reduction of fees  
14          or other costs that may accrue to the owner to  
15          obtain the authorization for water facilities.

16       **DIVISION C—FOREST SERVICE**  
17               **AUTHORIZATIONS**  
18       **TITLE XXX—CHIMNEY ROCK NA-**  
19               **TIONAL MONUMENT AUTHOR-**  
20               **IZATION**

21       **SEC. 3001. DEFINITIONS.**

22           In this title:

23                   (1) NATIONAL MONUMENT.—The term “na-  
24           tional monument” means the Chimney Rock Na-  
25           tional Monument established by section 3002(a).

1           (2) SECRETARY.—The term “Secretary” means  
2           the Secretary of Agriculture.

3           (3) STATE.—The term “State” means the State  
4           of Colorado.

5 **SEC. 3002. ESTABLISHMENT OF CHIMNEY ROCK NATIONAL**  
6           **MONUMENT.**

7           (a) ESTABLISHMENT.—There is established in the  
8           State the Chimney Rock National Monument—

9           (1) to preserve, protect, and restore the archeo-  
10          logical, cultural, historic, geologic, hydrologic, nat-  
11          ural, educational, and scenic resources of Chimney  
12          Rock and adjacent land; and

13          (2) to provide for public interpretation and  
14          recreation consistent with the protection of the re-  
15          sources described in paragraph (1).

16          (b) BOUNDARIES.—

17          (1) IN GENERAL.—The national monument  
18          shall consist of approximately 4,726 acres of land  
19          and interests in land, as generally depicted on the  
20          map entitled “Boundary Map, Chimney Rock Na-  
21          tional Monument” and dated January 5, 2010.

22          (2) MINOR ADJUSTMENTS.—The Secretary may  
23          make minor adjustments to the boundary of the na-  
24          tional monument to reflect the inclusion of signifi-  
25          cant archeological resources discovered after the

1 date of enactment of this Act on adjacent National  
2 Forest System land.

3 (3) AVAILABILITY OF MAP.—The map described  
4 in paragraph (1) shall be on file and available for  
5 public inspection in the appropriate offices of the  
6 Forest Service.

7 **SEC. 3003. ADMINISTRATION.**

8 (a) IN GENERAL.—The Secretary shall—

9 (1) administer the national monument—

10 (A) in furtherance of the purposes for  
11 which the national monument was established;  
12 and

13 (B) in accordance with—

14 (i) this title; and

15 (ii) any laws generally applicable to  
16 the National Forest System; and

17 (2) allow only such uses of the national monu-  
18 ment that the Secretary determines would further  
19 the purposes described in section 3002(a).

20 (b) TRIBAL USES.—

21 (1) IN GENERAL.—The Secretary shall admin-  
22 ister the national monument in accordance with—

23 (A) the Native American Graves Protection  
24 and Repatriation Act (25 U.S.C. 3001 et seq.);  
25 and

1 (B) the policy described in Public Law 95–  
2 341 (commonly known as the “American Indian  
3 Religious Freedom Act”) (42 U.S.C. 1996).

4 (2) TRADITIONAL USES.—Subject to any terms  
5 and conditions the Secretary determines to be nec-  
6 essary and in accordance with applicable law, the  
7 Secretary shall allow for the continued use of the na-  
8 tional monument by members of Indian tribes—

9 (A) for traditional ceremonies; and

10 (B) as a source of traditional plants and  
11 other materials.

12 (c) VEGETATION MANAGEMENT.—The Secretary may  
13 carry out vegetation management treatments within the  
14 national monument, except that the harvesting of timber  
15 shall only be used if the Secretary determines that the har-  
16 vesting is necessary for—

17 (1) ecosystem restoration in furtherance of sec-  
18 tion 3002(a); or

19 (2) the control of fire, insects, or diseases.

20 (d) MOTOR VEHICLES AND MOUNTAIN BIKES.—The  
21 use of motor vehicles and mountain bikes in the national  
22 monument shall be limited to the roads and trails identi-  
23 fied by the Secretary as appropriate for the use of motor  
24 vehicles and mountain bikes.

1 (e) GRAZING.—The Secretary shall permit grazing  
2 within the national monument, where established before  
3 the date of enactment of this Act—

4 (1) subject to all applicable laws (including reg-  
5 ulations); and

6 (2) consistent with the purposes described in  
7 section 3002(a).

8 (f) UTILITY RIGHT-OF-WAY UPGRADES.—Nothing in  
9 this title precludes the Secretary from renewing or author-  
10 izing the upgrading of a utility right-of-way in existence  
11 as of the date of enactment of this Act through the na-  
12 tional monument—

13 (1) in accordance with—

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

16 (B) any other applicable law; and

17 (2) subject to such terms and conditions as the  
18 Secretary determines to be appropriate.

19 (g) EDUCATION AND INTERPRETIVE CENTER.—The  
20 Secretary may develop and construct an education and in-  
21 terpretive center to interpret the scientific and cultural re-  
22 sources of the national monument for the public.

23 **SEC. 3004. MANAGEMENT PLAN.**

24 (a) IN GENERAL.—Not later than 3 years after the  
25 date of enactment of this Act, the Secretary, in consulta-



1 tion with Indian tribes with a cultural or historic tie to  
2 Chimney Rock, shall develop a management plan for the  
3 national monument.

4 (b) PUBLIC COMMENT.—In developing the manage-  
5 ment plan, the Secretary shall provide an opportunity for  
6 public comment by—

7 (1) State and local governments;

8 (2) tribal governments; and

9 (3) any other interested organizations and indi-  
10 viduals.

11 **SEC. 3005. LAND ACQUISITION.**

12 The Secretary may acquire land and any interest in  
13 land within or adjacent to the boundary of the national  
14 monument by—

15 (1) purchase from willing sellers with donated  
16 or appropriated funds;

17 (2) donation; or

18 (3) exchange.

19 **SEC. 3006. WITHDRAWAL.**

20 (a) IN GENERAL.—Subject to valid existing rights,  
21 all Federal land within the national monument (including  
22 any land or interest in land acquired after the date of en-  
23 actment of this Act) is withdrawn from—

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

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

3           (3) subject to subsection (b), operation of the  
4 mineral leasing, mineral materials, and geothermal  
5 leasing laws.

6       (b)    LIMITATION.—Notwithstanding subsection  
7 (a)(3), the Federal land is not withdrawn for the purposes  
8 of issuance of gas pipeline rights-of-way within easements  
9 in existence as of the date of enactment of this Act.

10 **SEC. 3007. EFFECT.**

11       (a) WATER RIGHTS.—

12           (1) IN GENERAL.—Nothing in this title affects  
13 any valid water rights, including water rights held  
14 by the United States.

15           (2) RESERVED WATER RIGHT.—The designa-  
16 tion of the national monument does not create a  
17 Federal reserved water right.

18       (b) TRIBAL RIGHTS.—Nothing in this title affects—

19           (1) the rights of any Indian tribe on Indian  
20 land;

21           (2) any individually-held trust land or Indian  
22 allotment; or

23           (3) any treaty rights providing for nonexclusive  
24 access to or within the national monument by mem-

1       bers of Indian tribes for traditional and cultural  
2       purposes.

3       (c) FISH AND WILDLIFE.—Nothing in this title af-  
4       fects the jurisdiction of the State with respect to the man-  
5       agement of fish and wildlife on public land in the State.

6       (d) ADJACENT USES.—Nothing in this title—

7             (1) creates a protective perimeter or buffer zone  
8             around the national monument; or

9             (2) affects private property outside of the  
10       boundary of the national monument.

11 **SEC. 3008. AUTHORIZATION OF APPROPRIATIONS.**

12       There are authorized to be appropriated such sums  
13       as are necessary to carry out this title.

14 **TITLE XXXI—NORTH FORK FLAT-**  
15 **HEAD RIVER WATERSHED**  
16 **PROTECTION**

17 **SEC. 3101. DEFINITIONS.**

18       In this title:

19             (1) ELIGIBLE FEDERAL LAND.—The term “eli-  
20       gible Federal land” means—

21                 (A) any federally owned land or interest in  
22                 land depicted on the Map as within the North  
23                 Fork Federal Lands Withdrawal Area; or

24                 (B) any land or interest in land located  
25                 within the North Fork Federal Lands With-

1           drawal Area that is acquired by the Federal  
2           Government after the date of enactment of this  
3           Act.

4           (2) MAP.—The term “Map” means the Bureau  
5           of Land Management map entitled “North Fork  
6           Federal Lands Withdrawal Area” and dated June 9,  
7           2010.

8   **SEC. 3102. WITHDRAWAL.**

9           (a) WITHDRAWAL.—Subject to valid existing rights,  
10          the eligible Federal land is withdrawn from—

11           (1) all forms of location, entry, and patent  
12          under the mining laws; and

13           (2) disposition under all laws relating to min-  
14          eral leasing and geothermal leasing.

15          (b) AVAILABILITY OF MAP.—Not later than 30 days  
16          after the date of enactment of this Act, the Map shall be  
17          made available to the public at each appropriate office of  
18          the Bureau of Land Management.

19                           **TITLE XXXII—LAND**  
20           **CONVEYANCES AND EXCHANGES**  
21                           **Subtitle A—Sugar Loaf Fire**  
22                           **District Land Exchange**

23   **SEC. 3201. DEFINITIONS.**

24          In this subtitle:

1           (1) DISTRICT.—The term “District” means the  
2           Sugar Loaf Fire Protection District of Boulder, Col-  
3           orado.

4           (2) FEDERAL LAND.—The term “Federal land”  
5           means—

6                   (A) the parcel of approximately 1.52 acres  
7                   of land in the National Forest that is generally  
8                   depicted on the map numbered 1, entitled  
9                   “Sugarloaf Fire Protection District Proposed  
10                  Land Exchange”, and dated November 12,  
11                  2009; and

12                   (B) the parcel of approximately 3.56 acres  
13                   of land in the National Forest that is generally  
14                   depicted on the map numbered 2, entitled  
15                   “Sugarloaf Fire Protection District Proposed  
16                  Land Exchange”, and dated November 12,  
17                  2009.

18           (3) NATIONAL FOREST.—The term “National  
19           Forest” means the Arapaho-Roosevelt National For-  
20           ests located in the State of Colorado.

21           (4) NON-FEDERAL LAND.—The term “non-Fed-  
22           eral land” means the parcel of approximately 5.17  
23           acres of non-Federal land in unincorporated Boulder  
24           County, Colorado, that is generally depicted on the  
25           map numbered 3, entitled “Sugarloaf Fire Protec-

1 tion District Proposed Land Exchange”, and dated  
2 November 12, 2009.

3 (5) SECRETARY.—The term “Secretary” means  
4 the Secretary of Agriculture.

5 **SEC. 3202. LAND EXCHANGE.**

6 (a) IN GENERAL.—Subject to the provisions of this  
7 subtitle, if the District offers to convey to the Secretary  
8 all right, title, and interest of the District in and to the  
9 non-Federal land, and the offer is acceptable to the Sec-  
10 retary—

11 (1) the Secretary shall accept the offer; and

12 (2) on receipt of acceptable title to the non-  
13 Federal land, the Secretary shall convey to the Dis-  
14 trict all right, title, and interest of the United States  
15 in and to the Federal land.

16 (b) APPLICABLE LAW.—Section 206 of the Federal  
17 Land Policy and Management Act of 1976 (43 U.S.C.  
18 1716) shall apply to the land exchange authorized under  
19 subsection (a), except that—

20 (1) the Secretary may accept a cash equali-  
21 zation payment in excess of 25 percent of the value  
22 of the Federal land; and

23 (2) as a condition of the land exchange under  
24 subsection (a), the District shall—

1 (A) pay each cost relating to any land sur-  
2 veys and appraisals of the Federal land and  
3 non-Federal land; and

4 (B) enter into an agreement with the Sec-  
5 retary that allocates any other administrative  
6 costs between the Secretary and the District.

7 (c) ADDITIONAL TERMS AND CONDITIONS.—The  
8 land exchange under subsection (a) shall be subject to—

9 (1) valid existing rights; and

10 (2) any terms and conditions that the Secretary  
11 may require.

12 (d) TIME FOR COMPLETION OF LAND EXCHANGE.—

13 It is the intent of Congress that the land exchange under  
14 subsection (a) shall be completed not later than 1 year  
15 after the date of enactment of this Act.

16 (e) AUTHORITY OF SECRETARY TO CONDUCT SALE  
17 OF FEDERAL LAND.—

18 (1) IN GENERAL.—In accordance with para-  
19 graph (2), if the land exchange under subsection (a)  
20 is not completed by the date that is 1 year after the  
21 date of enactment of this Act, the Secretary may  
22 offer to sell to the District the Federal land.

23 (2) VALUE OF FEDERAL LAND.—The Secretary  
24 may offer to sell to the District the Federal land for  
25 the fair market value of the Federal land.

1 (f) DISPOSITION OF PROCEEDS.—

2 (1) IN GENERAL.—The Secretary shall deposit  
3 in the fund established under Public Law 90–171  
4 (commonly known as the “Sisk Act”) (16 U.S.C.  
5 484a) any amount received by the Secretary as the  
6 result of—

7 (A) any cash equalization payment made  
8 under subsection (b); and

9 (B) any sale carried out under subsection  
10 (e).

11 (2) USE OF PROCEEDS.—Amounts deposited  
12 under paragraph (1) shall be available to the Sec-  
13 retary, without further appropriation and until ex-  
14 pended, for the acquisition of land or interests in  
15 land in the National Forest.

16 (g) MANAGEMENT AND STATUS OF ACQUIRED  
17 LAND.—The non-Federal land acquired by the Secretary  
18 under this section shall be—

19 (1) added to, and administered as part of, the  
20 National Forest; and

21 (2) managed by the Secretary in accordance  
22 with—

23 (A) the Act of March 1, 1911 (commonly  
24 known as the “Weeks Law”) (16 U.S.C. 480 et  
25 seq.); and



1 (B) any laws (including regulations) appli-  
2 cable to the National Forest.

3 (h) REVOCATION OF ORDERS; WITHDRAWAL.—

4 (1) REVOCATION OF ORDERS.—Any public  
5 order withdrawing the Federal land from entry, ap-  
6 propriation, or disposal under the public land laws  
7 is revoked to the extent necessary to permit the con-  
8 veyance of the Federal land to the District.

9 (2) WITHDRAWAL.—On the date of enactment  
10 of this Act, if not already withdrawn or segregated  
11 from entry and appropriation under the public land  
12 laws (including the mining and mineral leasing laws)  
13 and the Geothermal Steam Act of 1970 (30 U.S.C.  
14 1001 et seq.), the Federal land is withdrawn until  
15 the date of the conveyance of the Federal land to the  
16 District.

17 **Subtitle B—Wasatch-Cache**  
18 **National Forest Land Conveyance**

19 **SEC. 3211. DEFINITIONS.**

20 In this subtitle:

21 (1) FEDERAL LAND.—The term “Federal land”  
22 means the following 3 parcels of National Forest  
23 System land located in the Wasatch-Cache National  
24 Forest in the incorporated boundary of the Town:

1 (A) A parcel of land occupied by the ad-  
2 ministration building of the Town pursuant to  
3 Forest Service special use permit SLC102708.

4 (B) A parcel of land occupied by the public  
5 service building of the Town pursuant to Forest  
6 Service special use permit SLC102708.

7 (C) A parcel of land occupied by the water  
8 service building of the Town pursuant to Forest  
9 Service special use permit SLC102707.

10 (2) SECRETARY.—The term “Secretary” means  
11 the Secretary of Agriculture.

12 (3) TOWN.—The term “Town” means the town  
13 of Alta, Utah.

14 **SEC. 3212. CONVEYANCE OF FEDERAL LAND TO ALTA,**  
15 **UTAH.**

16 (a) IN GENERAL.—Subject to subsection (b) and  
17 valid existing rights, as soon as practicable after the date  
18 of enactment of this Act, the Secretary shall convey to  
19 the Town, without consideration, all right, title, and inter-  
20 est of the United States in and to the Federal land.

21 (b) CONDITIONS.—

22 (1) USE OF FEDERAL LAND.—As a condition of  
23 the conveyance under subsection (a), the Town shall  
24 use the Federal land only for public purposes con-

1       sistent with the applicable special use permit de-  
2       scribed in section 3211(1).

3           (2) DEED AND REVERSION.—The conveyance  
4       under subsection (a) shall be by quitclaim deed,  
5       which shall provide that the Federal land shall re-  
6       vert to the Secretary, at the election of the Sec-  
7       retary, if the Federal land is used for a purpose  
8       other than a purpose provided under paragraph (1).

9           (3) ACREAGE.—

10           (A) IN GENERAL.—The boundaries of the  
11       Federal land conveyed under subsection (a)  
12       shall be determined by the Secretary, in con-  
13       sultation with the Town, subject to the condi-  
14       tion that the Federal land conveyed may not ex-  
15       ceed a total of 2 acres.

16           (B) SURVEY AND LEGAL DESCRIPTION.—  
17       The exact acreage and legal description of the  
18       Federal land shall be determined, in accordance  
19       with subparagraph (A), by a survey approved  
20       by the Secretary.

21           (4) COSTS.—The Town shall pay each adminis-  
22       trative cost of the conveyance under subsection (a),  
23       including the costs of the survey carried out under  
24       paragraph (3).

1           (5) ADDITIONAL TERMS AND CONDITIONS.—  
2           The conveyance under subsection (a) shall be subject  
3           to such terms and conditions as the Secretary may  
4           require.

5           **Subtitle C—Los Padres National**  
6           **Forest Land Exchange**

7           **SEC. 3221. DEFINITIONS.**

8           In this subtitle:

9           (1) FEDERAL LAND.—The term “Federal land”  
10          means the approximately 5 acres of National Forest  
11          System land in Santa Barbara County, California,  
12          as generally depicted on the map.

13          (2) FOUNDATION.—The term “Foundation”  
14          means the White Lotus Foundation, a nonprofit  
15          foundation located in Santa Barbara, California.

16          (3) MAP.—The term “map” means the map en-  
17          titled “San Marcos Pass Encroachment for Consid-  
18          eration of Legislative Remedy” and dated June 1,  
19          2009.

20          (4) SECRETARY.—The term “Secretary” means  
21          the Secretary of Agriculture.

22           **SEC. 3222. LAND EXCHANGE.**

23           (a) IN GENERAL.—Subject to the provisions of this  
24           section, if the Foundation offers to convey to the Secretary  
25           all right, title, and interest of the Foundation in and to

1 a parcel of non-Federal land that is acceptable to the Sec-  
2 retary—

3 (1) the Secretary shall accept the offer; and

4 (2) on receipt of acceptable title to the non-  
5 Federal land, the Secretary shall convey to the  
6 Foundation all right, title, and interest of the United  
7 States in and to the Federal land.

8 (b) APPLICABLE LAW.—The land exchange author-  
9 ized under subsection (a) shall be subject to section 206  
10 of the Federal Land Policy and Management Act of 1976  
11 (43 U.S.C. 1716).

12 (c) TIME FOR COMPLETION OF LAND EXCHANGE.—  
13 It is the intent of Congress that the land exchange under  
14 subsection (a) shall be completed not later than 2 years  
15 after the date of enactment of this Act.

16 (d) AUTHORITY OF SECRETARY TO CONDUCT SALE  
17 OF FEDERAL LAND.—If the land exchange under sub-  
18 section (a) is not completed by the date that is 2 years  
19 after the date of enactment of this Act, the Secretary may  
20 offer to sell to the Foundation the Federal land for fair  
21 market value.

22 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
23 land exchange under subsection (a) and any sale under  
24 subsection (d) shall be subject to—

25 (1) valid existing rights;

1           (2) the Secretary finding that the public inter-  
2           est would be well served by making the exchange or  
3           sale;

4           (3) any terms and conditions that the Secretary  
5           may require; and

6           (4) the Foundation paying the reasonable costs  
7           of any surveys, appraisals, and any other adminis-  
8           trative costs associated with the land exchange or  
9           sale.

10       (f) APPRAISALS.—

11           (1) IN GENERAL.—The land conveyed under  
12           subsection (a) or (d) shall be appraised by an inde-  
13           pendent appraiser selected by the Secretary.

14           (2) REQUIREMENTS.—An appraisal under para-  
15           graph (1) shall be conducted in accordance with na-  
16           tionally recognized appraisal standards, including—

17                   (A) the Uniform Appraisal Standards for  
18                   Federal Land Acquisitions; and

19                   (B) the Uniform Standards of Professional  
20                   Appraisal Practice.

21       (g) DISPOSITION OF PROCEEDS.—

22           (1) IN GENERAL.—The Secretary shall deposit  
23           in the fund established under Public Law 90–171  
24           (commonly known as the “Sisk Act”) (16 U.S.C.

1 484a) any amount received by the Secretary as the  
2 result of—

3 (A) any cash equalization payment made  
4 under subsection (b); and

5 (B) any sale carried out under subsection  
6 (d).

7 (2) USE OF PROCEEDS.—Amounts deposited  
8 under paragraph (1) shall be available to the Sec-  
9 retary, without further appropriation and until ex-  
10 pended, for the acquisition of land or interests in  
11 land in the Los Padres National Forest.

12 (h) MANAGEMENT AND STATUS OF ACQUIRED  
13 LAND.—Any non-Federal land acquired by the Secretary  
14 under this subtitle shall be managed by the Secretary in  
15 accordance with—

16 (1) the Act of March 1, 1911 (commonly known  
17 as the “Weeks Law”) (16 U.S.C. 480 et seq.); and

18 (2) any laws (including regulations) applicable  
19 to the National Forest System.

20 **Subtitle D—Box Elder Land**  
21 **Conveyance**

22 **SEC. 3231. CONVEYANCE OF CERTAIN LANDS TO MANTUA,**  
23 **BOX ELDER, UTAH.**

24 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
25 riculture shall convey, without consideration, to the town

1 of Mantua, Utah (in this section referred to as the  
2 “town”), all right, title, and interest of the United States  
3 in and to parcels of National Forest System land in the  
4 Wasatch-Cache National Forest in Box Elder County,  
5 Utah, consisting of approximately 31.5 acres within sec-  
6 tion 27, township 9 north, range 1 west, Salt Lake merid-  
7 ian and labeled as parcels A, B, and C on the map entitled  
8 “Box Elder Utah Land Conveyance Act” and dated July  
9 14, 2008.

10 (b) SURVEY.—If necessary, the exact acreage and  
11 legal description of the lands to be conveyed under sub-  
12 section (a) shall be determined by a survey satisfactory  
13 to the Secretary. The cost of the survey shall be borne  
14 by the town.

15 (c) USE OF LAND.—As a condition of the conveyance  
16 under subsection (a), the town shall use the land conveyed  
17 under such subsection for public purposes.

18 (d) REVERSIONARY INTEREST.—In the quitclaim  
19 deed to the town prepared as part of the conveyance under  
20 subsection (a), the Secretary shall provide that the land  
21 conveyed to the town under such subsection shall revert  
22 to the Secretary, at the election of the Secretary, if the  
23 land is used for other than public purposes.

24 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
25 Secretary may require such additional terms and condi-



1 tions in connection with the conveyance authorized under  
2 subsection (a) as the Secretary considers appropriate to  
3 protect the interests of the United States.

4       **Subtitle E—Deafy Glade Land**  
5                   **Exchange**

6       **SEC. 3241. LAND EXCHANGE, MENDOCINO NATIONAL FOR-**  
7                   **EST, CALIFORNIA.**

8       (a) DEFINITIONS.—In this section:

9               (1) COUNTY.—The term “County” means So-  
10       lano County, California.

11              (2) FEDERAL LAND.—The term “Federal land”  
12       means the parcel of approximately 82 acres of  
13       land—

14                   (A) known as the “Fouts Springs Ranch”;  
15       and

16                   (B) generally depicted as the “Fouts  
17       Springs Parcel” on the map.

18              (3) MAP.—The term “map” means the map en-  
19       titled “Fouts Springs-Deafy Glade: Federal and  
20       Non-Federal Lands” and dated July 17, 2008.

21              (4) NON-FEDERAL LAND.—The term “non-Fed-  
22       eral land” means the 4 parcels of land comprising  
23       approximately 160 acres that are generally depicted  
24       as the “Deafy Glade Parcel” on the map.

1           (5) SECRETARY.—The term “Secretary” means  
2           the Secretary of Agriculture.

3           (b) LAND EXCHANGE REQUIRED.—Subject to sub-  
4           sections (c) through (f), if the County conveys to the  
5           United States such right, title, and interest in and to the  
6           non-Federal land that is acceptable to the Secretary, the  
7           Secretary shall convey to the County such right, title, and  
8           interest to the Federal land that the Secretary considers  
9           to be appropriate.

10          (c) APPLICABLE LAW.—Section 206 of the Federal  
11          Land Policy and Management Act of 1976 (43 U.S.C.  
12          1716) shall apply to the land exchange under this section.

13          (d) SURVEY; ADMINISTRATIVE COSTS.—

14                 (1) IN GENERAL.—The exact acreage and legal  
15                 description of the land to be exchanged under sub-  
16                 section (b) shall be determined by a survey satisfac-  
17                 tory to the Secretary.

18                 (2) COSTS.—The costs of the survey, appraisal,  
19                 and any other administrative costs relating to the  
20                 land exchange shall be paid by the County.

21          (e) MANAGEMENT OF ACQUIRED LAND.—The non-  
22          Federal land acquired by the Secretary under subsection  
23          (b) shall be—

24                 (1) added to, and administered as part of, the  
25                 Mendocino National Forest; and

1 (2) managed in accordance with—

2 (A) the Act of March 1, 1911 (commonly  
3 known as the “Weeks Law”) (16 U.S.C. 480 et  
4 seq.); and

5 (B) the laws (including regulations) appli-  
6 cable to the National Forest System.

7 (f) **ADDITIONAL TERMS AND CONDITIONS.**—The  
8 land exchange under subsection (b) shall be subject to any  
9 additional terms and conditions that the Secretary may  
10 require, including such terms and conditions as are nec-  
11 essary to ensure that the use of the Federal land does  
12 not adversely impact the use of the adjacent National For-  
13 est System land.

14 **Subtitle F—Wallowa Forest Service**  
15 **Compound Conveyance**

16 **SEC. 3251. CONVEYANCE TO CITY OF WALLOWA, OREGON.**

17 (a) **DEFINITIONS.**—In this subtitle:

18 (1) **CITY.**—The term “City” means the city of  
19 Wallowa, Oregon.

20 (2) **SECRETARY.**—The term “Secretary” means  
21 the Secretary of Agriculture.

22 (3) **WALLOWA FOREST SERVICE COMPOUND.**—  
23 The term “Wallowa Forest Service Compound”  
24 means the approximately 1.11 acres of National  
25 Forest System land that—

1 (A) was donated by the City to the Forest  
2 Service on March 18, 1936; and

3 (B) is located at 602 First Street,  
4 Wallowa, Oregon.

5 (b) CONVEYANCE.—On the request of the City sub-  
6 mitted to the Secretary by the date that is not later than  
7 1 year after the date of enactment of this Act and subject  
8 to the provisions of this subtitle, the Secretary shall con-  
9 vey to the City all right, title, and interest of the United  
10 States in and to the Wallowa Forest Service Compound.

11 (c) CONDITIONS.—The conveyance under subsection  
12 (b) shall be—

13 (1) by quitclaim deed;

14 (2) for no consideration; and

15 (3) subject to—

16 (A) valid existing rights; and

17 (B) such terms and conditions as the Sec-  
18 retary may require.

19 (d) USE OF WALLOWA FOREST SERVICE COM-  
20 POUND.—As a condition of the conveyance under sub-  
21 section (b), the City shall—

22 (1) use the Wallowa Forest Service Compound  
23 as a historical and cultural interpretation and edu-  
24 cation center;

1           (2) ensure that the Wallowa Forest Service  
2           Compound is managed by a nonprofit entity; and

3           (3) agree to manage the Wallowa Forest Serv-  
4           ice Compound with due consideration and protection  
5           for the historic values of the Wallowa Forest Service  
6           Compound.

7           (e) REVERSION.—In the quitclaim deed to the City,  
8           the Secretary shall provide that the Wallowa Forest Serv-  
9           ice Compound shall revert to the Secretary, at the election  
10          of the Secretary, if any of the conditions under subsection  
11          (c) or (d) are violated.

12                   **TITLE XXXIII—GENERAL**  
13                   **AUTHORIZATIONS**  
14           **Subtitle A—Ski Areas Summer**  
15                   **Uses**

16   **SEC. 3301. PURPOSE.**

17          The purpose of this subtitle is to amend the National  
18          Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b)—

19               (1) to enable snow-sports (other than nordic  
20               and alpine skiing) to be permitted on National For-  
21               est System land, subject to ski area permits issued  
22               by the Secretary of Agriculture under section 3 of  
23               the National Forest Ski Area Permit Act of 1986  
24               (16 U.S.C. 497b); and

1           (2) to clarify the authority of the Secretary of  
2     Agriculture to permit appropriate additional sea-  
3     sonal or year-round recreational activities and facili-  
4     ties on National Forest System land, subject to ski  
5     area permits issued by the Secretary of Agriculture  
6     under section 3 of the National Forest Ski Area  
7     Permit Act of 1986 (16 U.S.C. 497b).

8     **SEC. 3302. SKI AREA PERMITS.**

9           Section 3 of the National Forest Ski Area Permit Act  
10  of 1986 (16 U.S.C. 497b) is amended—

11           (1) in subsection (a), by striking “nordic and  
12     alpine ski areas and facilities” and inserting “ski  
13     areas and associated facilities”;

14           (2) in subsection (b), in the matter preceding  
15     paragraph (1), by striking “nordic and alpine skiing  
16     operations and purposes” and inserting “skiing and  
17     other snow sports and recreational uses authorized  
18     by this Act”;

19           (3) by redesignating subsections (c) and (d) as  
20     subsections (d) and (e), respectively;

21           (4) by inserting after subsection (b) the fol-  
22     lowing:

23     “(c) **OTHER RECREATIONAL USES.**—

24           “(1) **AUTHORITY OF SECRETARY.**—Subject to  
25     the terms of a ski area permit issued pursuant to

1 subsection (b), the Secretary may authorize a ski  
2 area permittee to provide such other seasonal or  
3 year-round natural resource-based recreational ac-  
4 tivities and associated facilities (in addition to skiing  
5 and other snow-sports) on National Forest System  
6 land subject to a ski area permit as the Secretary  
7 determines to be appropriate.

8 “(2) REQUIREMENTS.—Each activity and facil-  
9 ity authorized by the Secretary under paragraph (1)  
10 shall—

11 “(A) encourage outdoor recreation and en-  
12 joyment of nature;

13 “(B) to the extent practicable—

14 “(i) harmonize with the natural envi-  
15 ronment of the National Forest System  
16 land on which the activity or facility is lo-  
17 cated; and

18 “(ii) be located within the developed  
19 portions of the ski area;

20 “(C) be subject to such terms and condi-  
21 tions as the Secretary determines to be appro-  
22 priate; and

23 “(D) be authorized in accordance with—

24 “(i) the applicable land and resource  
25 management plan; and

1                   “(ii) applicable laws (including regula-  
2                   tions).

3                   “(3) INCLUSIONS.—Activities and facilities that  
4                   may, in appropriate circumstances, be authorized  
5                   under paragraph (1) include—

6                   “(A) zip lines;

7                   “(B) mountain bike terrain parks and  
8                   trails;

9                   “(C) frisbee golf courses; and

10                  “(D) ropes courses.

11                  “(4) EXCLUSIONS.—Activities and facilities  
12                  that are prohibited under paragraph (1) include—

13                  “(A) tennis courts;

14                  “(B) water slides and water parks;

15                  “(C) swimming pools;

16                  “(D) golf courses; and

17                  “(E) amusement parks.

18                  “(5) LIMITATION.—The Secretary may not au-  
19                  thorize any activity or facility under paragraph (1)  
20                  if the Secretary determines that the authorization of  
21                  the activity or facility would result in the primary  
22                  recreational purpose of the ski area permit to be a  
23                  purpose other than skiing and other snow-sports.

24                  “(6) BOUNDARY DETERMINATION.—In deter-  
25                  mining the acreage encompassed by a ski area per-



1 mit under subsection (b)(3), the Secretary shall not  
2 consider the acreage necessary for activities and fa-  
3 cilities authorized under paragraph (1).

4 “(7) EFFECT ON EXISTING AUTHORIZED AC-  
5 TIVITIES AND FACILITIES.—Nothing in this sub-  
6 section affects any activity or facility authorized by  
7 a ski area permit in effect on the date of enactment  
8 of this subsection during the term of the permit.”;

9 (5) by striking subsection (d) (as redesignated  
10 by paragraph (3)), and inserting the following:

11 “(d) REGULATIONS.—Not later than 2 years after  
12 the date of enactment of this subsection, the Secretary  
13 shall promulgate regulations to implement this section.”;  
14 and

15 (6) in subsection (e) (as redesignated by para-  
16 graph (3)), by striking “the National Environmental  
17 Policy Act, or the Forest and Rangelands Renewable  
18 Resources Planning Act as amended by the National  
19 Forest Management Act” and inserting “the Na-  
20 tional Environmental Policy Act of 1969 (42 U.S.C.  
21 4321 et seq.) and the Forest and Rangeland Renew-  
22 able Resources Planning Act of 1974 (16 U.S.C.  
23 1600 et seq.)”.

1 **SEC. 3303. EFFECT.**

2 Nothing in the amendments made by this subtitle es-  
3 tablishes a legal preference for the holder of a ski area  
4 permit to provide activities and associated facilities au-  
5 thorized by section 3(c) of the National Forest Ski Area  
6 Permit Act of 1986 (16 U.S.C. 497b(c)) (as amended by  
7 section 3302).

8 **Subtitle B—National Forest Insect**  
9 **and Disease Authorities**

10 **SEC. 3311. PURPOSES.**

11 The purposes of this subtitle are—

12 (1) to ensure that adequate emphasis is placed  
13 on the mitigation of hazards posed by landscape-  
14 scale epidemics of bark beetles and other insects and  
15 diseases through the identification of areas affected  
16 by the epidemics, including areas in which resulting  
17 hazard trees pose a high risk to public health and  
18 safety; and

19 (2) to help focus resources within areas charac-  
20 terized by landscape-scale insect or disease epidemics  
21 to mitigate hazards associated with—

22 (A) falling trees; and

23 (B) wildfire.

24 **SEC. 3312. DEFINITIONS.**

25 In this subtitle:

1           (1) AFFECTED STATE.—The term “affected  
2 State” includes each of the States of—

3                   (A) Alaska;

4                   (B) Arizona;

5                   (C) California;

6                   (D) Colorado;

7                   (E) Idaho;

8                   (F) Montana;

9                   (G) Nevada;

10                  (H) New Mexico;

11                  (I) Oregon;

12                  (J) South Dakota;

13                  (K) Utah;

14                  (L) Washington; and

15                  (M) Wyoming.

16           (2) HIGH-RISK AREA.—The term “high-risk  
17 area” means a road, trail, or other area that poses  
18 a high risk to public health or safety due to hazard  
19 trees resulting from landscape-scale tree mortality  
20 caused by an insect or disease epidemic.

21           (3) INSECT OR DISEASE EPIDEMIC AREA.—The  
22 term “insect or disease epidemic area” means an  
23 area of National Forest System land in which land-  
24 scape-scale tree mortality caused by an insect or dis-  
25 ease epidemic exists.

1           (4) NATIONAL FOREST SYSTEM.—The term  
2           “National Forest System” has the meaning given  
3           the term in section 11(a) of the Forest and Range-  
4           land Renewable Resources Planning Act of 1974 (16  
5           U.S.C. 1609(a)).

6           (5) SECRETARY.—The term “Secretary” means  
7           the Secretary of Agriculture.

8   **SEC. 3313. DESIGNATION OF AREAS.**

9           (a) IDENTIFICATION OF HIGH-RISK AREAS.—

10           (1) IN GENERAL.—As soon as practicable after  
11           the date of enactment of this Act, the Secretary  
12           shall identify by map or other appropriate means  
13           high-risk areas within the National Forest System in  
14           the affected States.

15           (2) PUBLIC EDUCATION.—In conjunction with  
16           the information developed pursuant this subsection,  
17           the Secretary shall develop educational materials  
18           that describe the risk posed by hazard trees in high-  
19           risk areas and measures that can be taken by the  
20           public to avoid or reduce that risk.

21           (3) CONSULTATION.—In developing the infor-  
22           mation and educational materials required by this  
23           subsection, the Secretary shall consult with inter-  
24           ested State, local, and tribal governments, first re-  
25           sponders, and other stakeholders.

1           (4) UPDATES.—The Secretary shall periodically  
2 review and revise the information and educational  
3 materials required by this subsection to reflect the  
4 best available information.

5           (5) PUBLIC AVAILABILITY.—The information  
6 and associated educational materials required by this  
7 subsection shall be on file and available for public  
8 inspection, including in the appropriate offices of the  
9 Forest Service.

10          (b) IDENTIFICATION OF INSECT AND DISEASE EPI-  
11 DEMIC AREAS.—

12           (1) IN GENERAL.—As soon as practicable after  
13 the date of enactment of this Act, the Secretary  
14 shall identify by map or other appropriate means in-  
15 sect or disease epidemic areas within the National  
16 Forest System in the affected States.

17           (2) REQUIRED INFORMATION.—The informa-  
18 tion required by paragraph (1) shall include—

19                   (A) a geographic estimate of the annual  
20 mortality caused by the insect or disease epi-  
21 demic; and

22                   (B) a projection, based on the best avail-  
23 able science, of future tree mortality resulting  
24 from the insect or disease epidemic.

1           (3) UPDATES.—The Secretary shall periodically  
2 review and revise the information required by para-  
3 graph (1) to reflect the best available information.

4           (4) AVAILABILITY.—The information required  
5 by this subsection shall be made available to—

6                   (A) communities in or adjacent to an in-  
7 sect or disease epidemic area that have devel-  
8 oped a community wildfire protection plan (as  
9 defined in section 101 of the Healthy Forests  
10 Restoration Act of 2003 (16 U.S.C. 6511));

11                   (B) fire departments and other wildfire-  
12 fighting organizations responding to, or likely  
13 to respond to, a wildfire in an insect or disease  
14 epidemic area; and

15                   (C) the public through the appropriate of-  
16 fices of the Forest Service.

17           (e) CONTRACTS AND FINANCIAL ASSISTANCE.—To  
18 help collect, develop, monitor, and distribute the informa-  
19 tion and materials required by this section, the Secretary  
20 may enter into contracts or provide financial assistance  
21 through cooperative agreements in accordance with section  
22 8 of the Cooperative Forestry Assistance Act of 1978 (16  
23 U.S.C. 2104) with—

24                   (1) the State Forester or equivalent State offi-  
25 cial of an affected State;

1 (2) educational institutions; or

2 (3) other organizations.

3 **SEC. 3314. SUPPORT FOR RESTORATION AND RESPONSE.**

4 (a) **SUPPORT FOR BIOMASS UTILIZATION.**—To help  
5 reduce the risk to public health and safety from hazard  
6 trees and wildfires and to restore ecosystems affected by  
7 insect and disease epidemics, the Secretary may assist  
8 State and local governments, Indian tribes, private land-  
9 owners, and other persons in affected States with the col-  
10 lection, harvest, storage, and transportation of eligible ma-  
11 terial from areas identified pursuant to section 3313(b)  
12 in accordance with section 9011(d) of the Farm Security  
13 and Rural Investment Act of 2002 (7 U.S.C. 8111(d)).

14 (b) **RESTORATION ASSISTANCE FOR PRIVATE LAND-**  
15 **OWNERS.**—The Secretary may make payments to an  
16 owner of nonindustrial private forest land in an affected  
17 State to carry out emergency measures to restore the land  
18 after an insect or disease infestation in accordance with  
19 the emergency forest restoration program established  
20 under section 407 of the Agricultural Credit Act of 1978  
21 (16 U.S.C. 2206).

22 (c) **NATIONAL FOREST HAZARDOUS FUEL REDUC-**  
23 **TION.**—The Secretary shall carry out authorized haz-  
24 ardous fuel reduction projects in affected States on Na-  
25 tional Forest System land on which an epidemic of disease

1 or insects poses a significant threat to an ecosystem com-  
2 ponent, or forest or rangeland resource, in accordance  
3 with the Healthy Forests Restoration Act of 2003 (16  
4 U.S.C. 6501 et seq.).

5 **SEC. 3315. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated to carry out  
7 this subtitle such sums as are necessary.

8 **Subtitle C—Good Neighbor**  
9 **Authority**

10 **SEC. 3321. GOOD NEIGHBOR AGREEMENTS.**

11 (a) DEFINITIONS.—In this section:

12 (1) AUTHORIZED RESTORATION SERVICES.—

13 The term “authorized restoration services” means  
14 similar and complementary forest, rangeland, and  
15 watershed restoration services carried out on adja-  
16 cent Federal land and non-Federal land by either  
17 the Secretary or a Governor pursuant to—

18 (A) a good neighbor agreement; and

19 (B) a cooperative agreement or contract  
20 entered into under subsection (c).

21 (2) FEDERAL LAND.—

22 (A) IN GENERAL.—The term “Federal  
23 land” means the following land in a State lo-  
24 cated in whole or in part west of the 100th me-  
25 ridian:



1 (i) National Forest System land.

2 (ii) Public lands (as defined in section  
3 103 of the Federal Land Policy and Man-  
4 agement Act of 1976 (43 U.S.C. 1702)).

5 (B) EXCLUSIONS.—The term “Federal  
6 land” does not include—

7 (i) a component of the National Wil-  
8 derness Preservation System, National  
9 Wild and Scenic Rivers System, National  
10 Trails System, or National Landscape  
11 Conservation System;

12 (ii) a National Monument, National  
13 Preserve, National Scenic Area, or Na-  
14 tional Recreation Area; or

15 (iii) a wilderness study area.

16 (3) FOREST, RANGELAND, AND WATERSHED  
17 RESTORATION SERVICES.—The term “forest, range-  
18 land, and watershed restoration services” means—

19 (A) activities to treat insect- and disease-  
20 infected trees;

21 (B) activities to reduce hazardous fuels;

22 (C) activities to maintain roads and trails  
23 that cross a boundary between Federal land  
24 and non-Federal land; and

1 (D) any other activities to restore or im-  
2 prove forest, rangeland, or watershed health, in-  
3 cluding fish and wildlife habitat.

4 (4) GOOD NEIGHBOR AGREEMENT.—The term  
5 “good neighbor agreement” means—

6 (A) a nonfunding master cooperative  
7 agreement entered into between the Secretary  
8 and a Governor under chapter 63 of title 31,  
9 United States Code; or

10 (B) a memorandum of agreement or un-  
11 derstanding entered into between the Secretary  
12 and a Governor.

13 (5) GOVERNOR.—The term “Governor” means  
14 the Governor or any other appropriate executive offi-  
15 cial of an affected State.

16 (6) SECRETARY.—The term “Secretary”  
17 means—

18 (A) the Secretary of Agriculture, with re-  
19 spect to National Forest System land; and

20 (B) the Secretary of the Interior, with re-  
21 spect to Bureau of Land Management land.

22 (b) GOOD NEIGHBOR AGREEMENTS.—

23 (1) IN GENERAL.—The Secretary may enter  
24 into a good neighbor agreement with a Governor to  
25 coordinate the procurement and implementation of

1 authorized restoration services in accordance with  
2 this section.

3 (2) PUBLIC NOTICE AND COMMENT.—The Sec-  
4 retary shall make each good neighbor agreement  
5 available to the public.

6 (c) TASK ORDERS, CONTRACTS, AND COOPERATIVE  
7 AGREEMENTS.—

8 (1) IN GENERAL.—The Secretary may issue a  
9 task order for, or enter into a contract (including a  
10 sole source contract) or cooperative agreement with,  
11 a Governor to carry out authorized restoration serv-  
12 ices.

13 (2) REQUIREMENTS.—Each task order, con-  
14 tract, or cooperative agreement entered into under  
15 paragraph (1) shall be executed in accordance  
16 with—

17 (A) chapter 63 of title 31, United States  
18 Code; and

19 (B) the applicable good neighbor agree-  
20 ment.

21 (d) CONTRACT AND SUBCONTRACT REQUIRE-  
22 MENTS.—

23 (1) REQUIREMENTS FOR SERVICES ON FED-  
24 ERAL LAND.—

1 (A) IN GENERAL.—For authorized restora-  
2 tion services carried out on Federal land under  
3 subsection (c), each contract and subcontract  
4 issued under the authority of a Governor shall  
5 include the provisions described in subpara-  
6 graph (B) that would have been included in the  
7 contract had the Secretary been a party to the  
8 contract.

9 (B) APPLICABLE PROVISIONS.—The provi-  
10 sions referred to in subparagraph (A) are provi-  
11 sions for—

12 (i) wages and benefits for workers em-  
13 ployed by contractors and subcontractors  
14 required by—

15 (I) subchapter IV of chapter 31  
16 of part A of subtitle II of title 40,  
17 United States Code; and

18 (II) chapter 6 of title 41, United  
19 States Code;

20 (ii) nondiscrimination; and

21 (iii) worker safety and protection.

22 (2) REQUIREMENTS FOR SMALL BUSINESSES.—  
23 Each contract and subcontract for authorized res-  
24 toration services under subsection (c) shall comply  
25 with provisions for small business assistance and

1 protection that would have been applicable to the  
2 contract had the Secretary been a party to the con-  
3 tract.

4 (3) LIABILITY.—The Secretary shall include  
5 provisions in each good neighbor agreement, con-  
6 tract, or cooperative agreement, as appropriate, gov-  
7 erning the potential liability of the State and the  
8 Secretary for actions carried out under this section.

9 (e) TERMINATION OF EFFECTIVENESS.—

10 (1) IN GENERAL.—The authority of the Sec-  
11 retary to enter into cooperative agreements and con-  
12 tracts under this section terminates on September  
13 30, 2019.

14 (2) CONTRACT DATE.—The termination date of  
15 a cooperative agreement or contract entered into  
16 under this section shall not extend beyond Sep-  
17 tember 30, 2020.

18 (3) CONSOLIDATED AUTHORITY.—

19 (A) FEDERAL AND STATE COOPERATIVE  
20 WATERSHED RESTORATION AND PROTECTION  
21 IN COLORADO.—Section 331 of the Department  
22 of the Interior and Related Agencies Appropria-  
23 tions Act, 2001 (Public Law 106–291; 114  
24 Stat. 996) is repealed.

1 (B) FEDERAL AND STATE COOPERATIVE  
2 FOREST, RANGELAND, AND WATERSHED RES-  
3 TORATION IN UTAH.—Section 337 of the De-  
4 partment of the Interior and Related Agencies  
5 Appropriations Act, 2005 (Public Law 108–  
6 447; 118 Stat. 3102) is repealed.

7 (4) EXISTING CONTRACTS.—Nothing in the  
8 amendments made by this section affects contracts  
9 in effect on the day before the date of enactment of  
10 this Act.

11 **Subtitle D—Federal Land**  
12 **Avalanche Protection Program**

13 **SEC. 3331. DEFINITIONS.**

14 In this subtitle:

15 (1) COMMITTEE.—The term “Committee”  
16 means the Avalanche Artillery Users of North Amer-  
17 ica Committee.

18 (2) PROGRAM.—The term “program” means  
19 the avalanche protection program established under  
20 section 3332(a).

21 (3) SECRETARY.—The term “Secretary” means  
22 the Secretary of Agriculture, acting through the  
23 Chief of the Forest Service.

1 **SEC. 3332. AVALANCHE PROTECTION PROGRAM.**

2 (a) ESTABLISHMENT.—The Secretary shall establish  
3 an avalanche protection program to provide information  
4 and assistance to users of avalanche-prone National For-  
5 est System land.

6 (b) OBJECTIVES.—The objectives of the program in-  
7 clude—

8 (1) to inform and educate the public about the  
9 risks posed by avalanches to reduce the potential for  
10 injury, death, or property damage;

11 (2) to provide avalanche forecasts for ava-  
12 lanche-prone areas of the National Forest System  
13 that are frequented by recreational or other users;

14 (3) to provide oversight of activities relating to  
15 the prevention and control of avalanches by ski area  
16 and other special use permit holders on National  
17 Forest System land, including the procurement, con-  
18 trol, and use of artillery; and

19 (4) to facilitate research on the objectives of the  
20 program, including research on the development of  
21 alternatives to military artillery.

22 (c) COORDINATION.—In carrying out this section, the  
23 Secretary shall—

24 (1) use the resources of—

25 (A) the National Avalanche Center of the  
26 Forest Service; and

1 (B) other partners; and

2 (2) work with the Committee and other part-  
3 ners to improve—

4 (A) coordination among users of artillery  
5 used to prevent and control avalanches; and

6 (B) access to, and the control and use of,  
7 artillery and other methods to prevent and con-  
8 trol avalanches.

9 (d) GRANTS.—

10 (1) IN GENERAL.—The Secretary may make  
11 grants to any person to further the objectives of the  
12 program.

13 (2) PRIORITY.—The Secretary shall give pri-  
14 ority to grants under paragraph (1) that enhance  
15 public safety.

16 (3) AUTHORIZATION OF APPROPRIATIONS.—  
17 There is authorized to be appropriated to carry out  
18 this subsection \$4,000,000 for each of fiscal years  
19 2010 through 2014.



1 **DIVISION D—DEPARTMENT OF**  
2 **THE INTERIOR AUTHORIZA-**  
3 **TIONS**

4 **TITLE XL—FEDERAL LAND**  
5 **TRANSACTION FACILITATION**  
6 **ACT REAUTHORIZATION**

7 **SEC. 4001. REAUTHORIZATION.**

8 The Federal Land Transaction Facilitation Act is  
9 amended—

10 (1) in section 203(2) (43 U.S.C. 2302(2)), by  
11 striking “on the date of enactment of this Act was”  
12 and inserting “is”;

13 (2) in section 205 (43 U.S.C. 2304)—

14 (A) in subsection (a), by striking “this  
15 Act” and inserting “Omnibus Public Land  
16 Management Act of 2010”; and

17 (B) in subsection (d), by striking “10” and  
18 inserting “20”;

19 (3) in section 206 (43 U.S.C. 2305), by striking  
20 subsection (f); and

21 (4) in section 207(b) (43 U.S.C. 2306(b))—

22 (A) in paragraph (1)—

23 (i) by striking “96–568” and insert-  
24 ing “96–586”; and

1 (ii) by striking “; or” and inserting a  
2 semicolon;

3 (B) in paragraph (2)—

4 (i) by inserting “Public Law 105–  
5 263;” before “112 Stat.”; and

6 (ii) by striking the period at the end  
7 and inserting a semicolon; and

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

9 “(3) the White Pine County Conservation,  
10 Recreation, and Development Act of 2006 (Public  
11 Law 109–432; 120 Stat. 3028);

12 “(4) the Lincoln County Conservation, Recre-  
13 ation, and Development Act of 2004 (Public Law  
14 108–424; 118 Stat. 2403);

15 “(5) subtitle F of title I of the Omnibus Public  
16 Land Management Act of 2009 (16 U.S.C. 1132  
17 note; Public Law 111–11);

18 “(6) subtitle O of title I of the Omnibus Public  
19 Land Management Act of 2009 (16 U.S.C. 460www  
20 note, 1132 note; Public Law 111–11);

21 “(7) section 2601 of the Omnibus Public Land  
22 Management Act of 2009 (Public Law 111–11; 123  
23 Stat. 1108); or

1           “(8) section 2606 of the Omnibus Public Land  
2           Management Act of 2009 (Public Law 111–11; 123  
3           Stat. 1121).”.

4           **TITLE XLI—NATIONAL VOLCANO**  
5           **EARLY WARNING PROGRAM**

6           **SEC. 4101. DEFINITIONS.**

7           In this title:

8           (1) PROGRAM.—The term “program” means  
9           the National Volcano Early Warning and Monitoring  
10          Program established under section 4102(a).

11          (2) SECRETARY.—The term “Secretary” means  
12          the Secretary of the Interior.

13          **SEC. 4102. NATIONAL VOLCANO EARLY WARNING AND MON-**  
14          **ITORING PROGRAM.**

15          (a) ESTABLISHMENT.—The Secretary shall establish  
16          within the United States Geological Survey a program to  
17          be known as the “National Volcano Early Warning and  
18          Monitoring Program”.

19          (b) COMPONENTS.—The program shall consist of a  
20          national volcano watch office and data center, which shall  
21          oversee and coordinate the activities of United States Geo-  
22          logical Survey regional volcano watch and data centers.

23          (c) PURPOSES.—The purposes of the program are—

24                  (1) to monitor and study volcanoes and volcanic  
25                  activity throughout the United States at a level com-

1 mensurate with the threat posed by each volcano;  
2 and

3 (2) to warn and protect people and property  
4 from undue and avoidable harm from volcanic activ-  
5 ity.

6 **SEC. 4103. MANAGEMENT.**

7 (a) **MANAGEMENT PLAN.**—

8 (1) **IN GENERAL.**—Not later than 1 year after  
9 the date of enactment of this Act, the Secretary  
10 shall prepare a management plan for establishing  
11 and operating the program.

12 (2) **INCLUSIONS.**—The management plan shall  
13 include—

14 (A) annual cost estimates of—

15 (i) operating the program; and

16 (ii) updating the data collection, moni-  
17 toring, and analysis systems;

18 (B) annual standards and performance  
19 goals; and

20 (C) recommendations for establishing new,  
21 or enhancing existing, partnerships with State  
22 agencies or universities.

23 (b) **PARTNERSHIPS.**—The Secretary may enter into  
24 cooperative agreements or partnerships with State agen-  
25 cies and universities, under which the Secretary may des-

1 ignate the agency or university as volcano observatory  
2 partners for the program.

3 (c) COORDINATION WITH OTHER FEDERAL AGEN-  
4 CIES.—The Secretary shall coordinate activities author-  
5 ized under this title with the heads of relevant Federal  
6 agencies including—

7 (1) the Secretary of Transportation;

8 (2) the Secretary of Commerce;

9 (3) the Administrator of the Federal Aviation  
10 Administration; and

11 (4) the Director of the Federal Emergency  
12 Management Administration.

13 (d) GRANT PROGRAM.—

14 (1) IN GENERAL.—The Secretary may establish  
15 a competitive grant program to support research and  
16 monitoring of volcanic activities in furtherance of  
17 this title.

18 (2) COST-SHARING REQUIREMENT.—The non-  
19 Federal share of the total cost of an activity pro-  
20 vided assistance under this subsection shall be 25  
21 percent.

22 (e) ANNUAL REPORT.—The Secretary shall annually  
23 submit to Congress a report that describes the activities  
24 undertaken during the previous year to carry out this title.

1 **SEC. 4104. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to carry out  
3 this title \$15,000,000 for each of fiscal years 2010  
4 through 2020.

5 **TITLE XLII—UPPER CON-**  
6 **NECTICUT RIVER WATER-**  
7 **SHED**

8 **SEC. 4201. DEFINITIONS.**

9 In this title:

10 (1) **COMMISSIONS.**—The term “Commissions”  
11 means the Connecticut River Joint Commissions of  
12 New Hampshire and Vermont.

13 (2) **MANAGEMENT PLAN.**—

14 (A) **IN GENERAL.**—The term “manage-  
15 ment plan” means the management plan devel-  
16 oped by the Commissions entitled “Connecticut  
17 River Corridor Management Plan” and dated  
18 May 1997.

19 (B) **INCLUSIONS.**—The term “management  
20 plan” includes any updates to the management  
21 plan described in subparagraph (A).

22 (3) **PROGRAM.**—The term “program” means  
23 the Connecticut River Grants and Technical Assist-  
24 ance Program established by section 4202(a).

25 (4) **SECRETARY.**—The term “Secretary” means  
26 the Secretary of the Interior.

1           (5) STATE.—The term “State” means each of  
2           the States of New Hampshire and Vermont.

3           (6) WATERSHED.—The term “watershed”  
4           means the upper Connecticut River watershed.

5 **SEC. 4202. CONNECTICUT RIVER GRANTS AND TECHNICAL**  
6 **ASSISTANCE PROGRAM.**

7           (a) IN GENERAL.—There is established in the De-  
8           partment of the Interior the Connecticut River Grants and  
9           Technical Assistance Program.

10          (b) PURPOSE.—The purpose of the program is to  
11          provide financial and technical assistance to the States,  
12          through the Commissions, to improve management of the  
13          watershed in accordance with the management plan.

14          (c) FINANCIAL AND TECHNICAL ASSISTANCE.—

15               (1) IN GENERAL.—Subject to paragraph (2),  
16               the Secretary may provide financial and technical  
17               assistance to the Commissions in furtherance of the  
18               purposes of this title.

19               (2) LIMITATION.—No financial assistance shall  
20               be provided under this title until the date on which  
21               the Secretary has approved criteria for financial as-  
22               sistance in accordance with subsection (d).

23          (d) CRITERIA.—

24               (1) DEVELOPMENT.—The Commissions shall  
25               develop criteria for—

1 (A) prioritizing and determining the eligi-  
2 bility of applicants for financial and technical  
3 assistance under the program; and

4 (B) reviewing and prioritizing applications  
5 for financial and technical assistance under the  
6 program.

7 (2) REVIEW; APPROVAL.—

8 (A) SUBMISSION.—The Commissions shall  
9 submit the criteria developed under paragraph  
10 (1) to the Secretary for review.

11 (B) APPROVAL OR DISAPPROVAL.—

12 (i) IN GENERAL.—Not later than 180  
13 days after the date on which the Commis-  
14 sions submit the criteria under subpara-  
15 graph (A), the Secretary shall approve or  
16 disapprove the criteria.

17 (ii) DISAPPROVAL.—If the Secretary  
18 disapproves the criteria under clause (i),  
19 the Secretary shall—

20 (I) advise the Commissions of the  
21 reasons for disapproval;

22 (II) make recommendations for  
23 revisions to the criteria; and

24 (III) not later than 180 days  
25 after the date on which the Commis-



1                   sions submit revised criteria to the  
2                   Secretary, approve or disapprove the  
3                   revised criteria.

4                   (C) CONSIDERATIONS.—In reviewing the  
5                   criteria submitted under this paragraph, the  
6                   Secretary shall consider the extent to which the  
7                   criteria—

8                   (i) are consistent with the purposes  
9                   and goals of the management plan; and

10                   (ii) provide for protection of the wa-  
11                   tershed, including the natural, cultural,  
12                   historic, and recreational resources within  
13                   the watershed.

14                   (e) AUTHORITIES OF THE COMMISSIONS.—The Com-  
15                   missions may use funds made available under this title to  
16                   provide financial and technical assistance to State and  
17                   local governments, nonprofit organizations, and other pub-  
18                   lic and private entities to protect the watershed in accord-  
19                   ance with the approved criteria and consistent with the  
20                   management plan.

21                   **SEC. 4203. AUTHORIZATION OF APPROPRIATIONS.**

22                   (a) IN GENERAL.—There is authorized to be appro-  
23                   priated to carry out this title \$10,000,000, of which not  
24                   more than \$1,000,000 may be made available for any 1  
25                   fiscal year.

1 (b) COST-SHARING REQUIREMENT.—

2 (1) IN GENERAL.—The Federal share of the  
3 total cost of any activity under this title shall be not  
4 more than 50 percent of the total cost.

5 (2) FORM.—The non-Federal contribution may  
6 be in the form of in-kind contributions of goods or  
7 services fairly valued.

8 **SEC. 4204. TERMINATION OF AUTHORITY.**

9 The authority of the Secretary to provide financial  
10 assistance under this title terminates on the date that is  
11 10 years after the date of enactment of this Act.

12 **TITLE XLIII—ABANDONED MINE**  
13 **RECLAMATION PAYMENTS**

14 **SEC. 4301. ABANDONED MINE RECLAMATION.**

15 (a) RECLAMATION FEE.—Section 402(g)(6)(A) of  
16 the Surface Mining Control and Reclamation Act of 1977  
17 (30 U.S.C. 1232(g)(6)(A)) is amended by inserting “and  
18 section 411(h)(1)” after “paragraphs (1) and (5)”.

19 (b) FILLING VOIDS AND SEALING TUNNELS.—Sec-  
20 tion 409(b) of the Surface Mining Control and Reclama-  
21 tion Act of 1977 (30 U.S.C. 1239(b)) is amended by in-  
22 serting “and section 411(h)(1)” after “section 402(g)”.

23 (c) USE OF FUNDS.—Section 411(h)(1)(D)(ii) of the  
24 Surface Mining Control and Reclamation Act of 1977 (30

1 U.S.C. 1240a(h)(1)(D)(ii)) is amended by striking “sec-  
2 tion 403” and inserting “section 402(g)(6), 403, or 409”.

3 **TITLE XLIV—PUBLIC LANDS**  
4 **SERVICE CORPS AMENDMENTS**

5 **SEC. 4401. AMENDMENT TO SHORT TITLE.**

6 Section 201 of the Public Lands Corps Act of 1993  
7 (16 U.S.C. 1701 note; 107 Stat. 848) is amended to read  
8 as follows:

9 **“SEC. 201. SHORT TITLE; REFERENCES.**

10 “(a) **SHORT TITLE.**—This title may be cited as the  
11 ‘Public Lands Service Corps Act of 1993’.

12 “(b) **REFERENCES.**—Any reference contained in any  
13 law, regulation, document, paper, or other record of the  
14 United States to the ‘Public Lands Corps Act of 1993’  
15 shall be considered to be a reference to the ‘Public Lands  
16 Service Corps Act of 1993’.”.

17 **SEC. 4402. REFERENCES.**

18 A reference in this title to “the Act” is a reference  
19 to the Public Lands Service Corps Act of 1993 (16 U.S.C.  
20 1721 et seq.; title II of Public Law 91–378).

21 **SEC. 4403. AMENDMENTS TO THE PUBLIC LANDS SERVICE**  
22 **CORPS ACT OF 1993.**

23 (a) **NAME AND PROJECT DESCRIPTION CHANGES.**—  
24 The Act is amended—

1 (1) in the title heading, by striking “**PUBLIC**  
2 **LANDS CORPS**” and inserting “**PUBLIC**  
3 **LANDS SERVICE CORPS**”;

4 (2) in section 204 (16 U.S.C. 1723), in the  
5 heading, by striking “**PUBLIC LANDS CORPS**” and  
6 inserting “**PUBLIC LANDS SERVICE CORPS**”;

7 (3) in section 210(a)(2) (16 U.S.C.  
8 1729(a)(2)), in the heading, by striking “**PUBLIC**  
9 **LANDS**”;

10 (4) by striking “Public Lands Corps” each  
11 place it appears and inserting “Corps”;

12 (5) by striking “conservation center” each place  
13 it appears and inserting “residential conservation  
14 center”;

15 (6) by striking “conservation centers” each  
16 place it appears and inserting “residential conserva-  
17 tion centers”;

18 (7) by striking “appropriate conservation  
19 project” each place it appears and inserting “appro-  
20 priate natural and cultural resources conservation  
21 project”; and

22 (8) by striking “appropriate conservation  
23 projects” each place it appears and inserting “ap-  
24 propriate natural and cultural resources conservation  
25 projects”.

1 (b) FINDINGS.—Section 202(a) (16 U.S.C. 1721(a))  
2 of the Act, as amended by subsection (a), is amended—

3 (1) in paragraph (1)—

4 (A) by striking “Corps can benefit” and  
5 inserting “conservation corps can benefit”; and

6 (B) by striking “the natural and cultural”  
7 and inserting “natural and cultural”;

8 (2) by redesignating paragraphs (2) and (3) as  
9 paragraphs (4) and (5), respectively;

10 (3) by inserting after paragraph (1) the fol-  
11 lowing:

12 “(2) Participants in conservation corps receive  
13 meaningful education and training, and their experi-  
14 ence with conservation corps provides preparation  
15 for careers in public service.

16 “(3) Young men and women who participate in  
17 the rehabilitation and restoration of the natural, cul-  
18 tural, historic, archaeological, recreational, and sce-  
19 nic treasures of the United States will gain an in-  
20 creased appreciation and understanding of the public  
21 lands and heritage of the United States, and of the  
22 value of public service, and are likely to become life-  
23 long advocates for those values.”;

24 (4) in paragraph (4) (as redesignated by para-  
25 graph (2)), by inserting “, cultural, historic, archae-

1       ological, recreational, and scenic” after “Many facili-  
2       ties and natural”; and

3               (5) by adding at the end the following:

4               “(6) The work of conservation corps can benefit  
5       communities adjacent to public lands and facilities  
6       through renewed civic engagement and participation  
7       by corps participants and those they serve, improved  
8       student achievement, and restoration and rehabilita-  
9       tion of public assets.”.

10       (c) PURPOSE.—Section 202(b) (16 U.S.C. 1721(b))  
11 of the Act is amended to read as follows:

12       “(b) PURPOSES.—The purposes of this Act are—

13               “(1) to introduce young men and women to  
14       public service while furthering their understanding  
15       and appreciation of the natural, cultural, historic,  
16       archaeological, recreational, and scenic resources of  
17       the United States;

18               “(2) to facilitate training and recruitment op-  
19       portunities in which service is credited as qualifying  
20       experience for careers in the management of such  
21       resources;

22               “(3) to instill in a new generation of young men  
23       and women from across the United States, including  
24       young men and women from diverse backgrounds,  
25       the desire to seek careers in resource stewardship

1 and public service by allowing them to work directly  
2 with professionals in agencies responsible for the  
3 management of the natural, cultural, historic, ar-  
4 chaeological, recreational, and scenic resources of  
5 the United States;

6 “(4) to perform, in a cost-effective manner, ap-  
7 propriate natural and cultural resources conservation  
8 projects where such projects are not being performed  
9 by existing employees;

10 “(5) to assist State and local governments and  
11 Indian tribes in performing research and public edu-  
12 cation tasks associated with the conservation of nat-  
13 ural, cultural, historic, archaeological, recreational,  
14 and scenic resources;

15 “(6) to expand educational opportunities on  
16 public lands and by rewarding individuals who par-  
17 ticipate in conservation corps with an increased abil-  
18 ity to pursue higher education and job training;

19 “(7) to promote public understanding and ap-  
20 preciation of the missions and the natural and cul-  
21 tural resources conservation work of the partici-  
22 pating Federal agencies through training opportuni-  
23 ties, community service and outreach, and other ap-  
24 propriate means; and

1           “(8) to create a grant program for Indian  
2 tribes to establish the Indian Youth Service Corps so  
3 that Indian youth can benefit from carrying out  
4 projects on Indian lands that the Indian tribes and  
5 communities determine to be priorities.”.

6           (d) DEFINITIONS.—Section 203 (16 U.S.C. 1722) of  
7 the Act is amended—

8           (1) by redesignating paragraphs (3) through  
9 (7), (8) through (10), and (11) through (13) as  
10 paragraphs (5) through (9), (11) through (13), and  
11 (15) through (17), respectively;

12           (2) by striking paragraphs (1) and (2) and in-  
13 serting the following:

14           “(1) APPROPRIATE NATURAL AND CULTURAL  
15 RESOURCES CONSERVATION PROJECT.—The term  
16 ‘appropriate natural and cultural resources conserva-  
17 tion project’ means any project for the conservation,  
18 restoration, construction, or rehabilitation of nat-  
19 ural, cultural, historic, archaeological, recreational,  
20 or scenic resources.

21           “(2) CONSULTING INTERN.—The term ‘con-  
22 sulting intern’ means a consulting intern selected  
23 under section 206(a)(2).

24           “(3) CORPS AND PUBLIC LANDS SERVICE  
25 CORPS.—The terms ‘Corps’ and ‘Public Lands Serv-



1 ice Corps' mean the Public Lands Service Corps es-  
2 tablished under section 204(a).

3 “(4) CORPS PARTICIPANT.—The term ‘Corps  
4 participant’ means an individual enrolled—

5 “(A) in the Corps or the Indian Youth  
6 Service Corps; or

7 “(B) as a resource assistant or consulting  
8 intern.”;

9 (3) by inserting after paragraph (9) (as redesi-  
10 gnated by paragraph (1)) the following:

11 “(10) INDIAN YOUTH SERVICE CORPS.—The  
12 term ‘Indian Youth Service Corps’ means a qualified  
13 youth or conservation corps established under sec-  
14 tion 207 that—

15 “(A) enrolls individuals between the ages  
16 of 15 and 25, inclusive, a majority of whom are  
17 Indians; and

18 “(B) is established pursuant to a tribal  
19 resolution that describes the agreement between  
20 the Indian tribe and the qualified youth or con-  
21 servation corps to operate an Indian Youth  
22 Service Corps program for the benefit of the  
23 members of the Indian tribe.”;

24 (4) by amending paragraph (12) (as redesi-  
25 gnated by paragraph (1)) to read as follows:

1           “(12) PUBLIC LANDS.—The term ‘public lands’  
2 means any land or water (or interest therein) owned  
3 or administered by the United States, including  
4 those areas of coastal and ocean waters, the Great  
5 Lakes and their connecting waters, and submerged  
6 lands over which the United States exercises juris-  
7 diction, except that such term does not include In-  
8 dian lands.”;

9           (5) by amending paragraph (13) (as redesign-  
10 nated by paragraph (1)) as follows:

11           (A) in subparagraph (A)—

12                 (i) by striking “full-time,”;

13                 (ii) by inserting “on eligible service  
14 lands” after “resource setting”; and

15                 (iii) by striking “16” and inserting  
16 “15”;

17           (B) in subparagraph (B), by striking  
18 “and” at the end;

19           (C) in subparagraph (C), by striking the  
20 period at the end and inserting “; and”; and

21           (D) by adding at the end the following:

22                 “(D) makes available for audit for each fis-  
23 cal year for which the qualified youth or con-  
24 servation corps receives Federal funds under  
25 this Act, all information pertaining to the ex-

1           penditure of the funds, any matching funds,  
2           and participant demographics.”;

3           (6) by inserting after paragraph 13 (as redesign-  
4           nated by paragraph (1)) the following:

5           “(14) RESIDENTIAL CONSERVATION CEN-  
6           TERS.—The term ‘residential conservation centers’  
7           means the facilities authorized under section 205.”;

8           (7) in paragraph (15) (as redesignated by para-  
9           graph (1)), by striking “206” and inserting  
10          “206(a)(1)”; and

11          (8) in paragraph (16) (as redesignated by para-  
12          graph (1))—

13           (A) in subparagraph (A), by striking  
14           “and” at the end;

15           (B) in subparagraph (B), by striking the  
16           period at the end and inserting “; and”; and

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

18           “(C) with respect to the National Marine  
19           Sanctuary System, coral reefs, and other coast-  
20           al, estuarine, and marine habitats, and other  
21           lands and facilities administered by the Na-  
22           tional Oceanic and Atmospheric Administration,  
23           the Secretary of Commerce.”.

1 (e) PUBLIC LANDS SERVICE CORPS PROGRAM.—Sec-  
2 tion 204 of the Act (16 U.S.C. 1723), as amended by sub-  
3 section (a), is amended—

4 (1) by redesignating subsections (b) and (c) and  
5 subsections (d) through (f) as subsections (e) and  
6 (d) and subsections (f) through (h), respectively;

7 (2) by striking subsection (a) and inserting the  
8 following:

9 “(a) ESTABLISHMENT OF PUBLIC LANDS SERVICE  
10 CORPS.—There is established in the Department of the  
11 Interior, the Department of Agriculture, and the Depart-  
12 ment of Commerce a Public Lands Service Corps.

13 “(b) ESTABLISHMENT OF CORPS OFFICE; COORDI-  
14 NATORS; LIAISON.—

15 “(1) ESTABLISHMENT OF OFFICES.—

16 “(A) DEPARTMENT OF THE INTERIOR.—  
17 The Secretary of the Interior shall establish a  
18 department-level office to coordinate the Corps  
19 activities within the Department of the Interior.

20 “(B) DEPARTMENT OF AGRICULTURE.—  
21 The Secretary of Agriculture shall establish  
22 within the Forest Service an office to coordinate  
23 the Corps activities within that agency.

24 “(C) DEPARTMENT OF COMMERCE.—The  
25 Secretary of Commerce shall establish within

1 the National Oceanic and Atmospheric Admin-  
2 istration an office to coordinate the Corps ac-  
3 tivities within that agency.

4 “(2) ESTABLISHMENT OF COORDINATORS.—  
5 The Secretary shall designate a Public Lands Serv-  
6 ice Corps coordinator for each agency under the ju-  
7 risdiction of the Secretary that administers Corps  
8 activities.

9 “(3) ESTABLISHMENT OF LIAISON.—The Sec-  
10 retary of the Interior shall establish an Indian Youth  
11 Service Corps liaison that will—

12 “(A) provide outreach to Indian tribes  
13 about opportunities for establishing Corps and  
14 Indian Youth Service Corps programs; and

15 “(B) coordinate with the Tribal Liaison of  
16 the Corporation for National Service to identify  
17 and establish Corps and Indian Youth Service  
18 Corps opportunities for Indian youth.”;

19 (3) by amending subsection (c) (as redesignated  
20 by paragraph (1)) to read as follows:

21 “(c) PARTICIPANTS.—

22 “(1) IN GENERAL.—The Secretary may enroll  
23 in the Corps individuals who are—

1           “(A) hired by an agency under the juris-  
2           diction of the Secretary to perform work au-  
3           thorized under this Act; or

4           “(B) members of a qualified youth or con-  
5           servation corps with which the Secretary has  
6           entered into a cooperative agreement to perform  
7           work authorized under this Act.

8           “(2) RESOURCE ASSISTANTS AND CONSULTING  
9           INTERNS.—The Secretary may also enroll in the  
10          Corps resource assistants and consulting interns in  
11          accordance with section 206(a).

12          “(3) ELIGIBILITY REQUIREMENTS.—To be eligi-  
13          ble for enrollment as a Corps participant, an indi-  
14          vidual shall—

15                 “(A) be between the ages of 15 and 25, in-  
16                 clusive; and

17                 “(B) satisfy the requirements of section  
18                 137(a)(5) of the National and Community Serv-  
19                 ice Act of 1990 (42 U.S.C. 12591(a)(5)).

20          “(4) TERMS.—Each Corps participant may be  
21          enrolled in the Corps for a term of up to 2 years of  
22          service, which may be served over a period that ex-  
23          ceeds 2 calendar years.

24          “(5) CIVIL SERVICE.—An individual may be en-  
25          rolled as a Corps participant without regard to the

1 civil service and classification laws, rules, or regula-  
2 tions of the United States.

3 “(6) PREFERENCE.—The Secretary may estab-  
4 lish a preference for the enrollment as Corps partici-  
5 pants individuals who are economically, physically,  
6 or educationally disadvantaged.”;

7 (4) in subsection (d) (as redesignated by para-  
8 graph (1))—

9 (A) in paragraph (1)—

10 (i) by striking “contracts and”; and

11 (ii) by striking “subsection (d)” and  
12 inserting “subsection (f)”;

13 (B) by striking paragraph (2); and

14 (C) by inserting after paragraph (1) the  
15 following:

16 “(2) RECRUITMENT.—The Secretary shall carry  
17 out, or enter into cooperative agreements to provide,  
18 a program to attract eligible youth to the Corps by  
19 publicizing Corps opportunities through high schools,  
20 colleges, employment centers, electronic media, and  
21 other appropriate institutions and means.

22 “(3) PREFERENCE.—In entering into coopera-  
23 tive agreements under paragraph (1) or awarding  
24 competitive grants to Indian tribes or tribally au-  
25 thorized organizations under section 207, the Sec-

1       retary may give preference to qualified youth or con-  
2       servation corps that are located in specific areas  
3       where a substantial portion of members are economi-  
4       cally, physically, or educationally disadvantaged.”;

5               (5) by inserting after subsection (d) (as redesign-  
6       nated by paragraph (1)) the following:

7       “(e) TRAINING.—

8               “(1) IN GENERAL.—The Secretary shall estab-  
9       lish a training program based at appropriate resi-  
10       dential conservation centers or at other suitable re-  
11       gional Federal or other appropriate facilities or sites  
12       to provide training for Corps participants.

13              “(2) REQUIREMENTS.—In establishing a train-  
14       ing program under paragraph (1), the Secretary  
15       shall—

16              “(A) ensure that the duration and com-  
17       prehensiveness of the training program shall be  
18       commensurate with the projects Corps partici-  
19       pants are expected to undertake;

20              “(B) develop department-wide standards  
21       for the program that include training in—

22              “(i) resource stewardship;

23              “(ii) health and safety;

24              “(iii) ethics for individuals in public  
25       service;



1 “(iv) teamwork and leadership; and

2 “(v) interpersonal communications;

3 “(C) direct the participating agencies with-  
4 in the Department of the Interior, the Forest  
5 Service in the case of the Department of Agri-  
6 culture, and the National Oceanic and Atmos-  
7 pheric Administration in the case of the De-  
8 partment of Commerce, to develop agency-spe-  
9 cific training guidelines to ensure that Corps  
10 participants are appropriately informed about  
11 matters specific to that agency, including—

12 “(i) the history and organization of  
13 the agency;

14 “(ii) the mission of the agency; and

15 “(iii) any agency-specific standards  
16 for the management of natural, cultural,  
17 historic, archaeological, recreational, and  
18 scenic resources; and

19 “(D) take into account training already re-  
20 ceived by Corps participants enrolled from  
21 qualified youth or conservation corps.”;

22 (6) in subsection (f) (as redesignated by para-  
23 graph (1))—

24 (A) in paragraph (1)—

1 (i) in the heading, by striking “IN  
2 GENERAL.—” and inserting “USE OF  
3 CORPS; PROJECTS.—”;

4 (ii) by striking “The Secretary may  
5 utilize the Corps or any qualified youth or  
6 conservation corps to carry out” and in-  
7 sserting the following:

8 “(A) IN GENERAL.—The Secretary may  
9 use the Corps to carry out, with appropriate su-  
10 pervision and training,”;

11 (iii) by striking “on public lands” and  
12 inserting on “on eligible service lands”;  
13 and

14 (iv) by adding at the end the fol-  
15 lowing:

16 “(B) PROJECTS.—Appropriate natural and  
17 cultural resources conservation projects carried  
18 out under this section may include—

19 “(i) protecting, restoring, or enhanc-  
20 ing ecosystem components to promote spe-  
21 cies recovery, improve biological diversity,  
22 enhance productivity and carbon sequestra-  
23 tion, and enhance adaptability and resil-  
24 ience of eligible service lands and resources

1 to climate change and other natural and  
2 human disturbances;

3 “(ii) promoting the health of eligible  
4 service lands, including—

5 “(I) protecting and restoring wa-  
6 tersheds and forest, grassland, ripar-  
7 ian, estuarine, marine, or other habi-  
8 tat;

9 “(II) reducing the risk of  
10 uncharacteristically severe wildfire  
11 and mitigating damage from insects,  
12 disease, and disasters;

13 “(III) controlling erosion;

14 “(IV) controlling and removing  
15 invasive, noxious, or nonnative spe-  
16 cies; and

17 “(V) restoring native species;

18 “(iii) collecting biological, archae-  
19 ological, and other scientific data, includ-  
20 ing climatological information, species pop-  
21 ulations and movement, habitat status, and  
22 other information;

23 “(iv) assisting in historical and cul-  
24 tural research, museum curatorial work,  
25 oral history projects, documentary photog-

1 raphy, and activities that support the cre-  
2 ation of public works of art related to eligi-  
3 ble service lands; and

4 “(v) constructing, repairing, rehabili-  
5 tating, and maintaining roads, trails,  
6 campgrounds and other visitor facilities,  
7 employee housing, cultural and historic  
8 sites and structures, and other facilities  
9 that further the purposes of this Act.”;

10 (B) by redesignating paragraphs (2) and  
11 (3) as paragraphs (4) and (5), respectively; and

12 (C) by inserting after paragraph (1) the  
13 following:

14 “(2) VISITOR SERVICES.—The Secretary may—

15 “(A) enter into or amend an existing coop-  
16 erative agreement with a cooperating associa-  
17 tion, educational institution, friends group, or  
18 similar nonprofit partner organization for the  
19 purpose of providing training and work experi-  
20 ence to Corps participants in areas such as  
21 sales, office work, accounting, and management,  
22 provided that the work experience directly re-  
23 lates to the conservation and management of el-  
24 igible service lands; and

1           “(B) allow Corps participants to help pro-  
2           mote visitor safety and enjoyment of eligible  
3           service lands, and assist in the gathering of vis-  
4           itor use data.

5           “(3) INTERPRETATION.—The Secretary may  
6           permit Corps participants to provide interpretation  
7           or education services for the public under the direct  
8           and immediate supervision of an agency employee—

9           “(A) to provide orientation and informa-  
10          tion services to visitors;

11          “(B) to assist agency employees in the de-  
12          livery of interpretive or educational programs  
13          where audience size, environmental conditions,  
14          safety, or other factors make such assistance  
15          desirable;

16          “(C) to present programs that relate the  
17          personal experience of the Corps participants  
18          for the purpose of promoting public awareness  
19          of the Corps, the role of the Corps in public  
20          land management agencies, and the availability  
21          of the Corps to potential participants; and

22          “(D) to create nonpersonal interpretive  
23          products, such as website content, Junior Rang-  
24          er program books, printed handouts, and audio-  
25          visual programs.”;

1 (7) in subsection (g) (as redesignated by para-  
2 graph (1))—

3 (A) in the matter preceding the first para-  
4 graph, by striking “those projects which” and  
5 inserting “priority projects and other projects  
6 that”; and

7 (B) by striking paragraph (2) and insert-  
8 ing the following:

9 “(2) will instill in Corps participants a work  
10 ethic and a sense of public service;”; and

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

12 “(i) OTHER PARTICIPANTS.—The Secretary may  
13 allow volunteers from other programs administered or des-  
14 ignated by the Secretary to participate as volunteers in  
15 projects carried out under this section.

16 “(j) CRIMINAL HISTORY CHECKS.—

17 “(1) IN GENERAL.—The requirements of sec-  
18 tion 189D(b) of the National and Community Serv-  
19 ice Act of 1990 (42 U.S.C. 12645g(b)) shall apply  
20 to each individual age 18 or older seeking—

21 “(A) to become a Corps participant;

22 “(B) to receive funds authorized under this  
23 Act; or

1           “(C) to supervise or otherwise have regular  
2           contact with Corps participants in activities au-  
3           thorized under this Act.

4           “(2) ELIGIBILITY PROHIBITION.—If any of  
5           paragraphs (1) through (4) of section 189D(c) of  
6           the National and Community Service Act of 1990  
7           (42 U.S.C. 12645g(c)(1)–(4)) apply to an individual  
8           described in paragraph (1), that individual shall not  
9           be eligible for the position or activity described in  
10          paragraph (1), unless the Secretary provides an ex-  
11          emption for good cause.”.

12          (f) RESIDENTIAL CONSERVATION CENTERS AND  
13          PROGRAM SUPPORT.—Section 205 (16 U.S.C. 1724) of  
14          the Act is amended—

15                 (1) in the section heading, by striking “**CON-**  
16                 **SERVATION**” and inserting “**RESIDENTIAL CON-**  
17                 **SERVATION**”;

18                 (2) in subsection (a)—

19                         (A) by amending paragraph (1) to read as  
20                         follows:

21                                 “(1) IN GENERAL.—The Secretary may estab-  
22                                 lish residential conservation centers for—

23   “(A) such housing, food service, medical  
24   care, transportation, and other services as the

1 Secretary deems necessary for Corps partici-  
2 pants; and

3 “(B) the conduct of appropriate natural  
4 and cultural resources conservation projects  
5 under this Act.”;

6 (B) by striking paragraph (2);

7 (C) by redesignating paragraphs (3) and  
8 (4) as paragraphs (2) and (3), respectively;

9 (D) in paragraph (2) (as redesignated by  
10 subparagraph (C)), in the heading, by striking  
11 “FOR CONSERVATION CENTERS”; and

12 (E) in paragraph (3) (as redesignated by  
13 subparagraph (C)), by striking “a State or local  
14 government agency” and inserting “another  
15 Federal agency, State, local government,”;

16 (3) in subsection (b)—

17 (A) by striking “The Secretary” and in-  
18 serting the following:

19 “(1) IN GENERAL.—The Secretary”; and

20 (B) by adding at the end the following:

21 “(2) TEMPORARY HOUSING.—The Secretary  
22 may make arrangements with another Federal agen-  
23 cy, State, local government, or private organization  
24 to provide temporary housing for Corps participants  
25 as needed and available.



1           “(3) TRANSPORTATION.—In project areas  
2           where Corps participants can reasonably be expected  
3           to reside at their own homes, the Secretary may  
4           fund or provide transportation to and from project  
5           sites.”;

6           (4) by redesignating subsection (d) as sub-  
7           section (f);

8           (5) by inserting after subsection (e) the fol-  
9           lowing:

10          “(d) FACILITIES.—The Secretary may, as an appro-  
11          priate natural and cultural resources conservation project,  
12          direct Corps participants to aid in the construction or re-  
13          habilitation of residential conservation center facilities, in-  
14          cluding housing.

15          “(e) MENTORS.—The Secretary may recruit from  
16          programs, such as Federal volunteer and encore service  
17          programs, and from veterans groups, military retirees, and  
18          active duty personnel, such adults as may be suitable and  
19          qualified to provide training, mentoring, and crew-leading  
20          services to Corps participants.”; and

21          (6) in subsection (f) (as redesignated by para-  
22          graph (4)), by striking “that are appropriate” and  
23          all that follows through the period and inserting  
24          “that the Secretary determines to be necessary for  
25          a residential conservation center.”.

1 (g) RESOURCE ASSISTANTS AND CONSULTING IN-  
2 TERNS.—Section 206 of the Act (16 U.S.C. 1725) is  
3 amended—

4 (1) in the section heading, by inserting “**AND**  
5 **CONSULTING INTERNS**” before the period;

6 (2) by striking subsections (a) and (b) and in-  
7 serting the following:

8 “(a) AUTHORIZATION.—

9 “(1) RESOURCE ASSISTANTS.—

10 “(A) IN GENERAL.—The Secretary may  
11 provide individual placements of resource assist-  
12 ants with any agency under the jurisdiction of  
13 the Secretary that carries out appropriate nat-  
14 ural and cultural resources conservation  
15 projects to carry out research or resource pro-  
16 tection activities on behalf of the agency.

17 “(B) ELIGIBILITY.—To be eligible for se-  
18 lection as a resource assistant, an individual  
19 shall be at least 17 years of age.

20 “(C) PREFERENCE.—In selecting resource  
21 assistants for placement under this paragraph,  
22 the Secretary shall give a preference to individ-  
23 uals who are enrolled in an institution of higher  
24 education or are recent graduates from an insti-  
25 tution of higher education, with particular at-

1           tention given to ensuring full representation of  
2           women and participants from Historically Black  
3           Colleges and Universities, Hispanic-serving in-  
4           stitutions, and Tribal Colleges and Universities.

5           “(2) CONSULTING INTERNS.—

6                   “(A) IN GENERAL.—The Secretary may  
7           provide individual placements of consulting in-  
8           terns with any agency under the jurisdiction of  
9           the Secretary that carries out appropriate nat-  
10          ural and cultural resources conservation  
11          projects to carry out management analysis ac-  
12          tivities on behalf of the agency.

13                   “(B) ELIGIBILITY.—To be eligible for se-  
14          lection as a consulting intern, an individual  
15          shall be enrolled in, and have completed at least  
16          1 full year at, a graduate or professional school  
17          that has been accredited by an accrediting body  
18          recognized by the Secretary of Education.

19          “(b) USE OF EXISTING NONPROFIT ORGANIZA-  
20          TIONS.—

21                   “(1) IN GENERAL.—Whenever 1 or more non-  
22          profit organizations can provide appropriate recruit-  
23          ment and placement services to fulfill the require-  
24          ments of this section, the Secretary may implement  
25          this section through such organizations.

1           “(2) EXPENSES.—Participating organizations  
2 shall contribute to the expenses of providing and  
3 supporting the resource assistants or consulting in-  
4 terns from sources of funding other than the Sec-  
5 retary, at a level of not less than 25 percent of the  
6 total costs (15 percent of which may be from in-kind  
7 sources) of each participant in the resource assistant  
8 or consulting intern program who has been recruited  
9 and placed through that organization.

10           “(3) REPORTING.—Each participating organi-  
11 zation shall be required to submit an annual report  
12 evaluating the scope, size, and quality of the pro-  
13 gram, including the value of work contributed by the  
14 resource assistants and consulting interns, to the  
15 mission of the agency.”.

16           (h) TECHNICAL AMENDMENT.—The Act is amended  
17 by redesignating sections 207 through 211 (16 U.S.C.  
18 1726 through 1730) as sections 209 through 213, respec-  
19 tively.

20           (i) INDIAN YOUTH SERVICE CORPS.—The Act is  
21 amended by inserting after section 206 (16 U.S.C. 1725)  
22 the following:

23 **“SEC. 207. INDIAN YOUTH SERVICE CORPS.**

24           “(a) AUTHORIZATION OF COOPERATIVE AGREE-  
25 MENTS AND COMPETITIVE GRANTS.—The Secretary is au-

1 thORIZED to enter into cooperative agreements with, or  
2 make competitive grants to, Indian tribes and qualified  
3 youth or conservation corps for the establishment and ad-  
4 ministration of Indian Youth Service Corps programs to  
5 carry out appropriate natural and cultural resources con-  
6 servation projects on Indian lands.

7       “(b) APPLICATION.—To be eligible to receive assist-  
8 ance under this section, an Indian tribe or a qualified  
9 youth or conservation corps shall submit to the Secretary  
10 an application in such manner and containing such infor-  
11 mation as the Secretary may require, including—

12               “(1) a description of the methods by which In-  
13 dian youth will be recruited for and retained in the  
14 Indian Youth Service Corps;

15               “(2) a description of the projects to be carried  
16 out by the Indian Youth Service Corps;

17               “(3) a description of how the projects were  
18 identified; and

19               “(4) an explanation of the impact of, and the  
20 direct community benefits provided by, the proposed  
21 projects.”.

22       (j) GUIDANCE.—The Act is amended by inserting  
23 after section 207 (as amended by subsection (i)) the fol-  
24 lowing:

1 **“SEC. 208. GUIDANCE.**

2 “Not later than 18 months after funds are made  
3 available to the Secretary to carry out this Act, the Sec-  
4 retary shall issue guidelines for the management of pro-  
5 grams under the jurisdiction of the Secretary that are au-  
6 thorized under this Act.”.

7 (k) LIVING ALLOWANCES AND TERMS OF SERV-  
8 ICE.—Section 209 of the Act (16 U.S.C. 1726) (as redes-  
9 igned by subsection (h)) is amended by striking sub-  
10 sections (a), (b), and (c) and inserting the following:

11 “(a) LIVING ALLOWANCES.—

12 “(1) IN GENERAL.—The Secretary shall provide  
13 each Corps participant with a living allowance in an  
14 amount established by the Secretary.

15 “(2) COST-OF-LIVING DIFFERENTIAL; TRAVEL  
16 COSTS.—The Secretary may—

17 “(A) apply a cost-of-living differential to  
18 the living allowances established under para-  
19 graph (1); and

20 “(B) if the Secretary determines reim-  
21 bursement to be appropriate, reimburse Corps  
22 participants for travel costs at the beginning  
23 and end of the term of service of the Corps par-  
24 ticipants.

25 “(b) TERMS OF SERVICE.—

1           “(1) IN GENERAL.—Each Corps participant  
2 shall agree to participate for such term of service as  
3 may be established by the Secretary.

4           “(2) CONSULTATIONS.—With respect to the In-  
5 dian Youth Service Corps, the term of service shall  
6 be established in consultation with the affected In-  
7 dian tribe or tribally authorized organization.

8           “(c) HIRING PREFERENCE AND FUTURE EMPLOY-  
9 MENT.—The Secretary may—

10           “(1) grant to a Corps participant credit for  
11 time served as a Corps participant, which may be  
12 used toward future Federal hiring;

13           “(2) provide to a former participant of the  
14 Corps or the Indian Youth Service Corps non-  
15 competitive hiring status for a period of not more  
16 than 2 years after the date on which the service of  
17 the candidate in the Corps or the Indian Youth  
18 Service Corps was complete, if the candidate—

19           “(A) has served a minimum of 960 hours  
20 on an appropriate natural or cultural resources  
21 conservation project that included at least 120  
22 hours through the Corps or the Indian Youth  
23 Service Corps; and

1           “(B) meets Office of Personnel Manage-  
2           ment qualification standards for the position for  
3           which the candidate is applying;

4           “(3) provide to a former resource assistant or  
5           consulting intern noncompetitive hiring status for a  
6           period of not more than 2 years after the date on  
7           which the individual has completed an under-  
8           graduate or graduate degree, respectively, from an  
9           accredited institution, if the candidate—

10           “(A) successfully fulfilled the resource as-  
11           sistant or consulting intern program require-  
12           ments; and

13           “(B) meets Office of Personnel Manage-  
14           ment qualification standards for the position for  
15           which the candidate is applying; and

16           “(4) provide, or enter into contracts or coopera-  
17           tive agreements with qualified employment agencies  
18           to provide, alumni services such as job and edu-  
19           cation counseling, referrals, verification of service,  
20           communications, and other appropriate services to  
21           Corps participants who have completed the term of  
22           service.”.

23           (l) NATIONAL SERVICE EDUCATIONAL AWARDS.—  
24           Section 210 (16 U.S.C. 1727) of the Act (as redesignated  
25           by subsection (h)) is amended—



1 (1) in subsection (a) (as amended by subsection  
2 (a)(4)), in the first sentence—

3 (A) by striking “participant in the Corps  
4 or a resource assistant” and inserting “Corps  
5 participant”; and

6 (B) by striking “participant or resource as-  
7 sistant” and inserting “Corps participant”; and  
8 (2) in subsection (b)—

9 (A) by striking “either participants in the  
10 Corps or resource assistants” and inserting  
11 “Corps participants”; and

12 (B) by striking “or a resource assistant”.

13 (m) NONDISPLACEMENT.—Section 211 of the Act  
14 (16 U.S.C. 1728) (as redesignated by subsection (h)) is  
15 amended by striking “activities carried out” and all that  
16 follows through the period and inserting “Corps partici-  
17 pants.”.

18 (n) FUNDING.—Section 212 of the Act (16 U.S.C.  
19 1729) (as redesignated by subsection (h)) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (1)—

22 (i) in the second sentence, by striking  
23 “non-federal sources” and inserting  
24 “sources other than the Secretary”; and

1                   (ii) by inserting after the second sen-  
2                   tence the following: “The Secretary may  
3                   pay up to 90 percent of the costs of a  
4                   project if the Secretary determines that the  
5                   reduction is necessary to enable participa-  
6                   tion from a greater range of organizations  
7                   or individuals.”; and

8                   (B) in paragraph (2), by inserting “or In-  
9                   dian Youth Service Corps” after “Corps” each  
10                  place it appears;

11                 (2) by amending subsection (b) to read as fol-  
12                 lows:

13                 “(b) FUNDS AVAILABLE UNDER NATIONAL AND  
14                 COMMUNITY SERVICE ACT.—To carry out this Act, the  
15                 Secretary shall be eligible to apply for and receive assist-  
16                 ance under section 121(b) of the National and Community  
17                 Service Act (42 U.S.C. 12571(b)).”; and

18                 (3) in subsection (c)—

19                         (A) by striking “section 211” and insert-  
20                         ing “section 213”; and

21                         (B) by inserting “or Indian Youth Service  
22                         Corps” after “Corps”.

23                 (o) AUTHORIZATION OF APPROPRIATIONS.—Section  
24                 213 of the Act (16 U.S.C. 1730) (as redesignated by sub-  
25                 section (h)) is amended—

1           (1) by amending subsection (a) to read as fol-  
2           lows:

3           “(a) IN GENERAL.—There are authorized to be ap-  
4           propriated such sums as may be necessary to carry out  
5           this Act.”;

6           (2) by striking subsection (b); and

7           (3) by redesignating subsection (c) as sub-  
8           section (b).

9           **TITLE XLV—PATENT MODIFICA-**  
10           **TIONS AND VALIDATIONS**

11           **SEC. 4501. WHITEFISH LIGHTHOUSE PATENT MODIFICA-**  
12           **TION, MICHIGAN.**

13           (a) MODIFICATION OF LAND GRANT PATENT ISSUED  
14           BY SECRETARY OF THE INTERIOR.—The Secretary of the  
15           Interior shall modify the matter under the heading “SUB-  
16           JECT ALSO TO THE FOLLOWING CONDITIONS” of para-  
17           graph 6 of United States Patent Number 61–2000–0007  
18           by striking “Whitefish Point Comprehensive Plan of Octo-  
19           ber 1992 or for a gift shop” and inserting “Human Use/  
20           Natural Resource Plan for Whitefish Point, dated Decem-  
21           ber 2002”.

22           (b) REVIEW OF MODIFICATIONS AND UNDER-  
23           TAKINGS.—

24           (1) MODIFICATIONS TO HUMAN USE/NATURAL  
25           RESOURCE PLAN FOR WHITEFISH POINT.—Each

1 modification to the Human Use/Natural Resource  
2 Plan for Whitefish Point, dated December 2002, de-  
3 scribed in the matter under the heading “SUBJECT  
4 ALSO TO THE FOLLOWING CONDITIONS” of para-  
5 graph 6 of United States Patent Number 61–2000–  
6 0007 shall be subject to the review process estab-  
7 lished under—

8 (A) section 106 of the National Historic  
9 Preservation Act (16 U.S.C. 470f); and

10 (B) part 800 of title 36, Code of Federal  
11 Regulations.

12 (2) FEDERAL OR FEDERALLY ASSISTED UN-  
13 DERTAKINGS.—Each Federal or federally assisted  
14 undertaking (as described in section 106 of the Na-  
15 tional Historic Preservation Act (16 U.S.C. 470f))  
16 proposed to be carried out within the boundaries of  
17 the Whitefish Point Light Station shall be subject to  
18 the review process established under—

19 (A) section 106 of the National Historic  
20 Preservation Act (16 U.S.C. 470f); and

21 (B) part 800 of title 36, Code of Federal  
22 Regulations.

23 (c) EFFECTIVE DATE.—

24 (1) IN GENERAL.—The modification of United  
25 States Patent Number 61–2000–0007 in accordance

1 with subsection (b) shall become effective on the  
2 date of the recording of the modification in the Of-  
3 fice of the Register of Deeds of Chippewa County of  
4 the State of Michigan.

5 (2) ENDORSEMENT.—The Office of the Reg-  
6 ister of Deeds of Chippewa County of the State of  
7 Michigan is requested to endorse on the recorded  
8 copy of United States Patent Number 61–2000–  
9 0007 the fact that the Patent Number has been  
10 modified in accordance with this title.

11 **SEC. 4502. COYOTE SPRINGS PATENT VALIDATION.**

12 Patent No. 27–2005–0081 and its associated land re-  
13 configuration issued by the Bureau of Land Management  
14 on February 18, 2005, is hereby affirmed and validated  
15 as having been issued pursuant to and in compliance with  
16 the provisions of the Nevada-Florida Land Exchange Au-  
17 thorization Act of 1988 (Public Law 100–275), the Na-  
18 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
19 et seq.), and the Federal Land Policy and Management  
20 Act of 1976 (43 U.S.C. 1701 et seq.) for the benefit of  
21 the desert tortoise and other species and their habitat to  
22 increase the likelihood of their recovery. The process uti-  
23 lized by the United States Fish and Wildlife Service and  
24 the Bureau of Land Management in reconfiguring the  
25 lands as shown on Exhibit 1–4 of the Final Environmental

1 Impact Statement for the Planned Development Project  
2 MSHCP, Lincoln County, NV (FWS-R8-ES-2008-  
3 N0136) and the reconfiguration provided for in Special  
4 Condition 10 of Army Corps of Engineers Permit No.  
5 000005042 are hereby ratified.

6 **DIVISION E—NATIONAL**  
7 **HERITAGE AREAS**  
8 **TITLE L—SUSQUEHANNA GATE-**  
9 **WAY NATIONAL HERITAGE**  
10 **AREA**

11 **SEC. 5001. DEFINITIONS.**

12 In this title:

13 (1) **HERITAGE AREA.**—The term “Heritage  
14 Area” means the Susquehanna Gateway National  
15 Heritage Area established by section 5002(a).

16 (2) **LOCAL COORDINATING ENTITY.**—The term  
17 “local coordinating entity” means the local coordi-  
18 nating entity for the Heritage Area designated by  
19 section 5003(a).

20 (3) **MANAGEMENT PLAN.**—The term “manage-  
21 ment plan” means the plan developed by the local  
22 coordinating entity under section 5004(a).

23 (4) **SECRETARY.**—The term “Secretary” means  
24 the Secretary of the Interior.

1           (5) STATE.—The term “State” means the State  
2           of Pennsylvania.

3 **SEC. 5002. SUSQUEHANNA GATEWAY NATIONAL HERITAGE**  
4           **AREA.**

5           (a) ESTABLISHMENT.—There is established the Sus-  
6 quehanna Gateway National Heritage Area in the State.

7           (b) BOUNDARIES.—The Heritage Area shall include  
8 Lancaster and York Counties, Pennsylvania.

9 **SEC. 5003. DESIGNATION OF LOCAL COORDINATING ENTI-**  
10           **TY.**

11           (a) LOCAL COORDINATING ENTITY.—The Susque-  
12 hanna Heritage Corporation, a nonprofit organization es-  
13 tablished under the laws of the State, shall be the local  
14 coordinating entity for the Heritage Area.

15           (b) AUTHORITIES OF LOCAL COORDINATING ENTI-  
16 TY.—The local coordinating entity may, for purposes of  
17 preparing and implementing the management plan, use  
18 Federal funds made available under this title—

19           (1) to prepare reports, studies, interpretive ex-  
20 hibits and programs, historic preservation projects,  
21 and other activities recommended in the manage-  
22 ment plan for the Heritage Area;

23           (2) to make grants to the State, political sub-  
24 divisions of the State, nonprofit organizations, and  
25 other persons;

1           (3) to enter into cooperative agreements with  
2           the State, political subdivisions of the State, non-  
3           profit organizations, and other organizations;

4           (4) to hire and compensate staff;

5           (5) to obtain funds or services from any source,  
6           including funds and services provided under any  
7           other Federal program or law; and

8           (6) to contract for goods and services.

9           (c) DUTIES OF LOCAL COORDINATING ENTITY.—To  
10          further the purposes of the Heritage Area, the local co-  
11          ordinating entity shall—

12           (1) prepare a management plan for the Herit-  
13          age Area in accordance with section 5004;

14           (2) give priority to the implementation of ac-  
15          tions, goals, and strategies set forth in the manage-  
16          ment plan, including assisting units of government  
17          and other persons in—

18           (A) carrying out programs and projects  
19          that recognize and protect important resource  
20          values in the Heritage Area;

21           (B) encouraging economic viability in the  
22          Heritage Area in accordance with the goals of  
23          the management plan;

24           (C) establishing and maintaining interpre-  
25          tive exhibits in the Heritage Area;



1 (D) developing heritage-based recreational  
2 and educational opportunities for residents and  
3 visitors in the Heritage Area;

4 (E) increasing public awareness of and ap-  
5 preciation for the natural, historic, and cultural  
6 resources of the Heritage Area;

7 (F) restoring historic buildings that are—  
8 (i) located in the Heritage Area; and  
9 (ii) related to the themes of the Herit-  
10 age Area; and

11 (G) installing throughout the Heritage  
12 Area clear, consistent, and appropriate signs  
13 identifying public access points and sites of in-  
14 terest;

15 (3) consider the interests of diverse units of  
16 government, businesses, tourism officials, private  
17 property owners, and nonprofit groups within the  
18 Heritage Area in developing and implementing the  
19 management plan;

20 (4) conduct public meetings at least semiannu-  
21 ally regarding the development and implementation  
22 of the management plan; and

23 (5) for any fiscal year for which Federal funds  
24 are received under this title—

1 (A) submit to the Secretary an annual re-  
2 port that describes—

3 (i) the accomplishments of the local  
4 coordinating entity;

5 (ii) the expenses and income of the  
6 local coordinating entity; and

7 (iii) the entities to which the local co-  
8 ordinating entity made any grants;

9 (B) make available for audit all records re-  
10 lating to the expenditure of the Federal funds  
11 and any matching funds; and

12 (C) require, with respect to all agreements  
13 authorizing the expenditure of Federal funds by  
14 other organizations, that the receiving organiza-  
15 tions make available for audit all records relat-  
16 ing to the expenditure of the Federal funds.

17 (d) PROHIBITION ON ACQUISITION OF REAL PROP-  
18 erty.—

19 (1) IN GENERAL.—The local coordinating entity  
20 shall not use Federal funds received under this title  
21 to acquire real property or any interest in real prop-  
22 erty.

23 (2) OTHER SOURCES.—Nothing in this title  
24 precludes the local coordinating entity from using  
25 Federal funds from other sources for authorized

1 purposes, including the acquisition of real property  
2 or any interest in real property.

3 **SEC. 5004. MANAGEMENT PLAN.**

4 (a) IN GENERAL.—Not later than 3 years after the  
5 date on which funds are first made available to carry out  
6 this title, the local coordinating entity shall prepare and  
7 submit to the Secretary a management plan for the Herit-  
8 age Area.

9 (b) CONTENTS.—The management plan for the Her-  
10 itage Area shall—

11 (1) include comprehensive policies, strategies,  
12 and recommendations for the conservation, funding,  
13 management, and development of the Heritage Area;

14 (2) take into consideration existing State, coun-  
15 ty, and local plans;

16 (3) specify the existing and potential sources of  
17 funding to protect, manage, and develop the Herit-  
18 age Area;

19 (4) include an inventory of the natural, historic,  
20 cultural, educational, scenic, and recreational re-  
21 sources of the Heritage Area relating to the themes  
22 of the Heritage Area that should be preserved, re-  
23 stored, managed, developed, or maintained; and

24 (5) include an analysis of, and recommenda-  
25 tions for, ways in which Federal, State, and local

1 programs, may best be coordinated to further the  
2 purposes of this title, including recommendations for  
3 the role of the National Park Service in the Heritage  
4 Area.

5 (c) DISQUALIFICATION FROM FUNDING.—If a pro-  
6 posed management plan is not submitted to the Secretary  
7 by the date that is 3 years after the date on which funds  
8 are first made available to carry out this title, the local  
9 coordinating entity may not receive additional funding  
10 under this title until the date on which the Secretary re-  
11 ceives the proposed management plan.

12 (d) APPROVAL AND DISAPPROVAL OF MANAGEMENT  
13 PLAN.—

14 (1) IN GENERAL.—Not later than 180 days  
15 after the date on which the local coordinating entity  
16 submits the management plan to the Secretary, the  
17 Secretary shall approve or disapprove the proposed  
18 management plan.

19 (2) CONSIDERATIONS.—In determining whether  
20 to approve or disapprove the management plan, the  
21 Secretary shall consider whether—

22 (A) the local coordinating entity is rep-  
23 resentative of the diverse interests of the Herit-  
24 age Area, including governments, natural and  
25 historic resource protection organizations, edu-

1           cational institutions, businesses, and rec-  
2           reational organizations;

3           (B) the local coordinating entity has pro-  
4           vided adequate opportunities (including public  
5           meetings) for public and governmental involve-  
6           ment in the preparation of the management  
7           plan;

8           (C) the resource protection and interpreta-  
9           tion strategies contained in the management  
10          plan, if implemented, would adequately protect  
11          the natural, historic, and cultural resources of  
12          the Heritage Area; and

13          (D) the management plan is supported by  
14          the appropriate State and local officials, the co-  
15          operation of which is needed to ensure the ef-  
16          fective implementation of the State and local  
17          aspects of the management plan.

18          (3) DISAPPROVAL AND REVISIONS.—

19                 (A) IN GENERAL.—If the Secretary dis-  
20                 approves a proposed management plan, the Sec-  
21                 retary shall—

22                         (i) advise the local coordinating entity,  
23                         in writing, of the reasons for the dis-  
24                         approval; and

1 (ii) make recommendations for revi-  
2 sion of the proposed management plan.

3 (B) APPROVAL OR DISAPPROVAL.—The  
4 Secretary shall approve or disapprove a revised  
5 management plan not later than 180 days after  
6 the date on which the revised management plan  
7 is submitted.

8 (e) APPROVAL OF AMENDMENTS.—

9 (1) IN GENERAL.—The Secretary shall review  
10 and approve or disapprove substantial amendments  
11 to the management plan in accordance with sub-  
12 section (d).

13 (2) FUNDING.—Funds appropriated under this  
14 title may not be expended to implement any changes  
15 made by an amendment to the management plan  
16 until the Secretary approves the amendment.

17 **SEC. 5005. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

18 (a) IN GENERAL.—Nothing in this title affects the  
19 authority of a Federal agency to provide technical or fi-  
20 nancial assistance under any other law.

21 (b) CONSULTATION AND COORDINATION.—The head  
22 of any Federal agency planning to conduct activities that  
23 may have an impact on the Heritage Area is encouraged  
24 to consult and coordinate the activities with the Secretary  
25 and the local coordinating entity to the extent practicable.

1 (c) OTHER FEDERAL AGENCIES.—Nothing in this  
2 title—

3 (1) modifies, alters, or amends any law or regu-  
4 lation authorizing a Federal agency to manage Fed-  
5 eral land under the jurisdiction of the Federal agen-  
6 cy;

7 (2) limits the discretion of a Federal land man-  
8 ager to implement an approved land use plan within  
9 the boundaries of the Heritage Area; or

10 (3) modifies, alters, or amends any authorized  
11 use of Federal land under the jurisdiction of a Fed-  
12 eral agency.

13 **SEC. 5006. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
14 **TIONS.**

15 Nothing in this title—

16 (1) abridges the rights of any property owner  
17 (whether public or private), including the right to re-  
18 frain from participating in any plan, project, pro-  
19 gram, or activity conducted within the Heritage  
20 Area;

21 (2) requires any property owner to permit pub-  
22 lic access (including access by Federal, State, or  
23 local agencies) to the property of the property  
24 owner, or to modify public access or use of property

1 of the property owner under any other Federal,  
2 State, or local law;

3 (3) alters any duly adopted land use regulation,  
4 approved land use plan, or other regulatory author-  
5 ity of any Federal, State, or local agency, or conveys  
6 any land use or other regulatory authority to the  
7 local coordinating entity;

8 (4) authorizes or implies the reservation or ap-  
9 propriation of water or water rights;

10 (5) diminishes the authority of the State to  
11 manage fish and wildlife, including the regulation of  
12 fishing and hunting within the Heritage Area; or

13 (6) creates any liability, or affects any liability  
14 under any other law, of any private property owner  
15 with respect to any person injured on the private  
16 property.

17 **SEC. 5007. EVALUATION; REPORT.**

18 (a) IN GENERAL.—Not later than 3 years before the  
19 date on which authority for Federal funding terminates  
20 for the Heritage Area, the Secretary shall—

21 (1) conduct an evaluation of the accomplish-  
22 ments of the Heritage Area; and

23 (2) prepare a report in accordance with sub-  
24 section (c).



1 (b) EVALUATION.—An evaluation conducted under  
2 subsection (a)(1) shall—

3 (1) assess the progress of the local coordinating  
4 entity with respect to—

5 (A) accomplishing the purposes of this title  
6 for the Heritage Area; and

7 (B) achieving the goals and objectives of  
8 the approved management plan for the Heritage  
9 Area;

10 (2) analyze the Federal, State, local, and pri-  
11 vate investments in the Heritage Area to determine  
12 the leverage and impact of the investments; and

13 (3) review the management structure, partner-  
14 ship relationships, and funding of the Heritage Area  
15 for purposes of identifying the critical components  
16 for sustainability of the Heritage Area.

17 (c) REPORT.—

18 (1) IN GENERAL.—Based on the evaluation con-  
19 ducted under subsection (a)(1), the Secretary shall  
20 prepare a report that includes recommendations for  
21 the future role of the National Park Service, if any,  
22 with respect to the Heritage Area.

23 (2) REQUIRED ANALYSIS.—If the report pre-  
24 pared under paragraph (1) recommends that Fed-

1           eral funding for the Heritage Area be reauthorized,  
2           the report shall include an analysis of—

3                   (A) ways in which Federal funding for the  
4           Heritage Area may be reduced or eliminated;  
5           and

6                   (B) the appropriate time period necessary  
7           to achieve the recommended reduction or elimi-  
8           nation.

9           (3) SUBMISSION TO CONGRESS.—On completion  
10          of the report, the Secretary shall submit the report  
11          to—

12                   (A) the Committee on Energy and Natural  
13          Resources of the Senate; and

14                   (B) the Committee on Natural Resources  
15          of the House of Representatives.

16 **SEC. 5008. AUTHORIZATION OF APPROPRIATIONS.**

17          (a) IN GENERAL.—There is authorized to be appro-  
18          priated to carry out this title \$10,000,000, of which not  
19          more than \$1,000,000 may be authorized to be appro-  
20          priated for any fiscal year.

21          (b) COST-SHARING REQUIREMENT.—The Federal  
22          share of the cost of any activity carried out using funds  
23          made available under this title shall be not more than 50  
24          percent.

1 **SEC. 5009. TERMINATION OF AUTHORITY.**

2 The authority of the Secretary to provide financial  
3 assistance under this title terminates on the date that is  
4 15 years after the date of enactment of this Act.

5 **TITLE LI—ALABAMA BLACK**  
6 **BELT NATIONAL HERITAGE**  
7 **AREA**

8 **SEC. 5101. DEFINITIONS.**

9 In this title:

10 (1) NATIONAL HERITAGE AREA.—The term  
11 “National Heritage Area” means the Alabama Black  
12 Belt National Heritage Area established by this title.

13 (2) LOCAL COORDINATING ENTITY.—The term  
14 “local coordinating entity” means the Center for the  
15 Study of the Black Belt at the University of West  
16 Alabama.

17 (3) MANAGEMENT PLAN.—The term “manage-  
18 ment plan” means the plan prepared by the local co-  
19 ordinating entity for the National Heritage Area in  
20 accordance with this title.

21 (4) SECRETARY.—The term “Secretary” means  
22 the Secretary of the Interior.

1 **SEC. 5102. DESIGNATION OF ALABAMA BLACK BELT NA-**  
2 **TIONAL HERITAGE AREA.**

3 (a) ESTABLISHMENT.—There is hereby established  
4 the Alabama Black Belt National Heritage Area in the  
5 State of Alabama.

6 (b) BOUNDARIES.—The National Heritage Area shall  
7 consist of sites as designated by the management plan  
8 within a core area located in Alabama, consisting of Bibb,  
9 Bullock, Butler, Choctaw, Clarke, Conecuh, Dallas,  
10 Greene, Hale, Lowndes, Macon, Marengo, Monroe, Mont-  
11 gomery, Perry, Pickens, Sumter, Washington, and Wilcox  
12 counties.

13 **SEC. 5103. LOCAL COORDINATING ENTITY.**

14 (a) DESIGNATION.—The Center for the Study of the  
15 Black Belt at the University of West Alabama shall be  
16 the local coordinating entity for the National Heritage  
17 Area.

18 (b) DUTIES.—To further the purposes of the Na-  
19 tional Heritage Area, the local coordinating entity shall—

20 (1) submit a management plan to the Secretary  
21 in accordance with this title;

22 (2) submit an annual report to the Secretary  
23 for each fiscal year for which the local coordinating  
24 entity receives Federal funds under this title, speci-  
25 fying—

1 (A) the specific performance goals and ac-  
2 complishments of the local coordinating entity;

3 (B) the expenses and income of the local  
4 coordinating entity;

5 (C) the amounts and sources of matching  
6 funds;

7 (D) the amounts of non-Federal funds le-  
8 veraged with Federal funds and sources of the  
9 leveraging; and

10 (E) grants made to any other entities dur-  
11 ing the fiscal year;

12 (3) make available for audit, for each fiscal  
13 year for which the local coordinating entity receives  
14 Federal funds under this title, all information per-  
15 taining to the expenditure of the funds and any  
16 matching funds; and

17 (4) encourage economic viability and sustain-  
18 ability that is consistent with the purposes of the  
19 National Heritage Area.

20 (c) AUTHORITIES.—For the purposes of preparing  
21 and implementing the approved management plan, the  
22 local coordinating entity may use Federal funds received  
23 under this title—

1           (1) to make grants to political jurisdictions,  
2           nonprofit organizations, and other parties within the  
3           National Heritage Area;

4           (2) to enter into cooperative agreements with or  
5           provide technical assistance to political jurisdictions,  
6           nonprofit organizations, Federal agencies, and other  
7           interested parties;

8           (3) to hire and compensate staff, including indi-  
9           viduals with expertise in—

10           (A) natural, historical, cultural, edu-  
11           cational, scenic, and recreational resource con-  
12           servation;

13           (B) economic and community development;  
14           and

15           (C) heritage planning;

16           (4) to obtain funds or services from any source,  
17           including other Federal programs;

18           (5) to contract for goods or services; and

19           (6) to support activities of partners and any  
20           other activities that further the purposes of the Na-  
21           tional Heritage Area and are consistent with the ap-  
22           proved management plan.

23           (d) PROHIBITION ON ACQUISITION OF REAL PROP-  
24           ERTY.—The local coordinating entity may not use Federal

1 funds received under this title to acquire any interest in  
2 real property.

3 **SEC. 5104. MANAGEMENT PLAN.**

4 (a) REQUIREMENTS.—The management plan shall—

5 (1) describe comprehensive policies, goals, strat-  
6 egies, and recommendations for telling the story of  
7 the heritage of the area covered by the National  
8 Heritage Area and encouraging long-term resource  
9 protection, enhancement, interpretation, funding,  
10 management, and development of the National Her-  
11 itage Area;

12 (2) include a description of actions and commit-  
13 ments that Federal, State, and local governments,  
14 private organizations, and citizens plan to take to  
15 protect, enhance, interpret, fund, manage, and de-  
16 velop the natural, historical, cultural, educational,  
17 scenic, and recreational resources of the National  
18 Heritage Area;

19 (3) specify existing and potential sources of  
20 funding or economic development strategies to pro-  
21 tect, enhance, interpret, fund, manage, and develop  
22 the National Heritage Area;

23 (4) include an inventory of the natural, histor-  
24 ical, cultural, educational, scenic, and recreational  
25 resources of the National Heritage Area related to

1 the national importance and themes of the National  
2 Heritage Area that should be protected, enhanced,  
3 interpreted, funded, managed, and developed;

4 (5) include recommendations for resource man-  
5 agement policies and strategies, including the devel-  
6 opment of intergovernmental and interagency agree-  
7 ments to protect, enhance, interpret, fund, manage,  
8 and develop the natural, historical, cultural, edu-  
9 cational, scenic, and recreational resources of the  
10 National Heritage Area;

11 (6) describe a program for implementation of  
12 the management plan, including—

13 (A) performance goals;

14 (B) plans for resource protection, enhance-  
15 ment, interpretation, funding, management, and  
16 development; and

17 (C) specific commitments for implementa-  
18 tion that have been made by the local coordi-  
19 nating entity or any Federal, State, or local  
20 government agency, organization, business, or  
21 individual;

22 (7) include an analysis of, and recommenda-  
23 tions for, means by which Federal, State, and local  
24 programs may best be coordinated (including the  
25 role of the National Park Service and other Federal



1 agencies associated with the National Heritage  
2 Area) to further the purposes of this title; and

3 (8) include a business plan that—

4 (A) describes the role, operation, financing,  
5 and functions of the local coordinating entity  
6 and of each of the major activities described in  
7 the management plan; and

8 (B) provides adequate assurances that the  
9 local coordinating entity has the partnerships  
10 and financial and other resources necessary to  
11 implement the management plan.

12 (b) DEADLINE.—

13 (1) IN GENERAL.—Not later than 3 years after  
14 the date on which funds are made available pursuant  
15 to this title to develop the management plan, the  
16 local coordinating entity shall submit the manage-  
17 ment plan to the Secretary for approval.

18 (2) TERMINATION OF FUNDING.—If the man-  
19 agement plan is not submitted to the Secretary in  
20 accordance with paragraph (1), the local coordi-  
21 nating entity may not receive any additional finan-  
22 cial assistance under this title until such time as the  
23 management plan is submitted to and approved by  
24 the Secretary.

25 (c) APPROVAL OF MANAGEMENT PLAN.—



1 (iii) provides for at least semiannual  
2 public meetings to ensure adequate imple-  
3 mentation of the management plan; and

4 (iv) has demonstrated the financial  
5 capability, in partnership with others, to  
6 carry out the management plan;

7 (B) the management plan—

8 (i) describes resource protection, en-  
9 hancement, interpretation, funding, man-  
10 agement, and development strategies  
11 which, if implemented, would adequately  
12 protect, enhance, interpret, fund, manage,  
13 and develop the natural, historical, cul-  
14 tural, educational, scenic, and recreational  
15 resources of the National Heritage Area;

16 (ii) would not adversely affect any ac-  
17 tivities authorized on Federal land under  
18 public applicable laws or land use plans;

19 (iii) demonstrates partnerships among  
20 the local coordinating entity, Federal,  
21 State, and local governments, regional  
22 planning organizations, nonprofit organiza-  
23 tions, and private sector parties for imple-  
24 mentation of the management plan; and

1 (iv) complies with the requirements of  
2 this section; and

3 (C) the Secretary has received adequate  
4 assurances from the appropriate State and local  
5 officials whose support is needed that the State  
6 and local aspects of the management plan will  
7 be effectively implemented.

8 (4) DISAPPROVAL.—

9 (A) IN GENERAL.—If the Secretary dis-  
10 approves the management plan, the Secretary—

11 (i) shall advise the local coordinating  
12 entity in writing of the reasons for the dis-  
13 approval; and

14 (ii) may make recommendations to the  
15 local coordinating entity for revisions to  
16 the management plan.

17 (B) DEADLINE.—Not later than 180 days  
18 after receiving a revised management plan, the  
19 Secretary shall approve or disapprove the re-  
20 vised management plan.

21 (5) AMENDMENTS.—

22 (A) IN GENERAL.—An amendment to the  
23 approved management plan that substantially  
24 alters such plan shall be reviewed by the Sec-

1           retary and approved or disapproved in the same  
2           manner as the original management plan.

3                   (B) IMPLEMENTATION.—The local coordi-  
4           nating entity shall not use Federal funds re-  
5           ceived under this title to implement a substan-  
6           tial amendment to the management plan until  
7           the Secretary approves the amendment.

8           (6) AUTHORITIES.—The Secretary may—

9                   (A) provide technical assistance under the  
10          authority of this title for the development and  
11          implementation of the management plan; and

12                   (B) enter into cooperative agreements with  
13          interested parties to carry out this title.

14   **SEC. 5105. EVALUATION; REPORT.**

15          (a) EVALUATION.—The Secretary shall conduct an  
16          evaluation of the accomplishments of the National Herit-  
17          age Area. An evaluation conducted under this subsection  
18          shall—

19                   (1) assess the progress of the local coordinating  
20          entity with respect to—

21                           (A) accomplishing the purposes of this title  
22                           for the National Heritage Area; and

23                           (B) achieving the goals and objectives of  
24                           the approved management plan;

1           (2) analyze the Federal, State, and local gov-  
2           ernment, and private investments in the National  
3           Heritage Area to determine the impact of the invest-  
4           ments; and

5           (3) review the management structure, partner-  
6           ship relationships, and funding of the National Her-  
7           itage Area for purposes of identifying the critical  
8           components for sustainability of the National Herit-  
9           age Area.

10          (b) REPORT.—Not later than 3 years before the date  
11          on which authority for Federal funding terminates for the  
12          National Heritage Area under this title, based on the eval-  
13          uation conducted under subsection (a), the Secretary shall  
14          submit a report to the Committee on Natural Resources  
15          of the House of Representatives and the Committee on  
16          Energy and Natural Resources of the Senate. The report  
17          shall include recommendations for the future role of the  
18          National Park Service, if any, with respect to the National  
19          Heritage Area.

20          **SEC. 5106. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

21          (a) IN GENERAL.—Nothing in this title affects the  
22          authority of a Federal agency to provide technical or fi-  
23          nancial assistance under any other law.

24          (b) CONSULTATION AND COORDINATION.—The head  
25          of any Federal agency planning to conduct activities that

1 may have an impact on the National Heritage Area is en-  
2 couraged to consult and coordinate the activities with the  
3 Secretary and the local coordinating entity to the max-  
4 imum extent practicable.

5 (c) OTHER FEDERAL AGENCIES.—Nothing in this  
6 title—

7 (1) modifies, alters, or amends any law or regu-  
8 lation authorizing a Federal agency to manage Fed-  
9 eral land under the jurisdiction of the Federal agen-  
10 cy;

11 (2) limits the discretion of a Federal land man-  
12 ager to implement an approved land use plan within  
13 the boundaries of the National Heritage Area; or

14 (3) modifies, alters, or amends any authorized  
15 use of Federal land under the jurisdiction of a Fed-  
16 eral agency.

17 **SEC. 5107. PRIVATE PROPERTY AND REGULATORY PROTEC-**  
18 **TIONS.**

19 Nothing in this title—

20 (1) abridges the rights of any owner of public  
21 or private property, including the right to refrain  
22 from participating in any plan, project, program, or  
23 activity conducted within the National Heritage  
24 Area;

1           (2) requires any property owner to permit pub-  
2           lic access (including access by Federal, State, tribal,  
3           or local agencies) to the property of the property  
4           owner, or to modify public access or use of property  
5           of the property owner under any other Federal,  
6           State, tribal, or local law;

7           (3) alters any duly adopted land use regulation,  
8           approved land use plan, or other regulatory author-  
9           ity of any Federal, State, tribal, or local agency, or  
10          conveys any land use or other regulatory authority  
11          to any local coordinating entity, including develop-  
12          ment and management of energy, water, or water-re-  
13          lated infrastructure;

14          (4) authorizes or implies the reservation or ap-  
15          propriation of water or water rights;

16          (5) diminishes the authority of the State to  
17          manage fish and wildlife, including the regulation of  
18          fishing and hunting within the National Heritage  
19          Area; or

20          (6) creates any liability, or affects any liability  
21          under any other law, of any private property owner  
22          with respect to any person injured on the private  
23          property.



1 **SEC. 5108. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Subject  
3 to subsection (b), there are authorized to be appropriated  
4 to carry out this title not more than \$1,000,000 for any  
5 fiscal year. Funds so appropriated shall remain available  
6 until expended.

7 (b) LIMITATION ON TOTAL AMOUNTS APPRO-  
8 PRIATED.—Not more than \$10,000,000 may be appro-  
9 priated to carry out this title.

10 (c) COST-SHARING REQUIREMENT.—The Federal  
11 share of the total cost of any activity under this title shall  
12 be not more than 50 percent. The non-Federal contribu-  
13 tion may be in the form of in-kind contributions of goods  
14 or services fairly valued.

15 **SEC. 5109. USE OF FEDERAL FUNDS FROM OTHER**  
16 **SOURCES.**

17 Nothing in this title shall preclude the local coordi-  
18 nating entity from using Federal funds available under  
19 other laws for the purposes for which those funds were  
20 authorized.

21 **SEC. 5110. TERMINATION OF FINANCIAL ASSISTANCE.**

22 The authority of the Secretary to provide financial  
23 assistance under this title terminates on the date that is  
24 15 years after the date of the enactment of this title.

1 **DIVISION F—BUREAU OF LAND**  
2 **MANAGEMENT AUTHORIZA-**  
3 **TIONS**

4 **TITLE LX—NATIONAL CON-**  
5 **SERVATION AREAS AND HIS-**  
6 **TORIC SITES**

7 **Subtitle A—Río Grande Del Norte**  
8 **National Conservation Area**

9 **SEC. 6001. DEFINITIONS.**

10 In this subtitle:

11 (1) CONSERVATION AREA.—The term “Con-  
12 servation Area” means the Río Grande del Norte  
13 National Conservation Area established by section  
14 6002(a)(1).

15 (2) LAND GRANT COMMUNITY.—The term  
16 “land grant community” means a member of the  
17 Board of Trustees of confirmed and nonconfirmed  
18 community land grants within the Conservation  
19 Area.

20 (3) MANAGEMENT PLAN.—The term “manage-  
21 ment plan” means the management plan for the  
22 Conservation Area developed under section 6002(d).

23 (4) MAP.—The term “map” means the map en-  
24 titled “Río Grande del Norte National Conservation  
25 Area” and dated November 4, 2009.



1 (A) in a manner that conserves, protects,  
2 and enhances the resources of the Conservation  
3 Area; and

4 (B) in accordance with—

5 (i) the Federal Land Policy and Man-  
6 agement Act of 1976 (43 U.S.C. 1701 et  
7 seq.);

8 (ii) this subtitle; and

9 (iii) any other applicable laws.

10 (2) USES.—

11 (A) IN GENERAL.—The Secretary shall  
12 allow only such uses of the Conservation Area  
13 that the Secretary determines would further the  
14 purposes described in subsection (b).

15 (B) USE OF MOTORIZED VEHICLES.—

16 (i) IN GENERAL.—Except as needed  
17 for administrative purposes or to respond  
18 to an emergency, the use of motorized ve-  
19 hicles in the Conservation Area shall be  
20 permitted only on roads designated for use  
21 by motorized vehicles in the management  
22 plan.

23 (ii) NEW ROADS.—No additional road  
24 shall be built within the Conservation Area  
25 after the date of enactment of this Act un-

1           less the road is needed for public safety or  
2           natural resource protection.

3           (C) GRAZING.—The Secretary shall permit  
4           grazing within the Conservation Area, where es-  
5           tablished before the date of enactment of this  
6           Act—

7                   (i) subject to all applicable laws (in-  
8                   cluding regulations) and Executive orders;  
9                   and

10                   (ii) consistent with the purposes de-  
11                   scribed in subsection (b).

12           (D) COLLECTION OF PIÑON NUTS AND  
13           FIREWOOD.—Nothing in this section precludes  
14           the traditional collection of firewood and piñon  
15           nuts for noncommercial personal use within the  
16           Conservation Area—

17                   (i) in accordance with any applicable  
18                   laws; and

19                   (ii) subject to such terms and condi-  
20                   tions as the Secretary determines to be ap-  
21                   propriate.

22           (E) UTILITY RIGHT-OF-WAY UPGRADES.—  
23           Nothing in this section precludes the Secretary  
24           from renewing or authorizing the upgrading  
25           (including widening) of an existing utility right-

1 of-way through the Conservation Area in a  
2 manner that minimizes harm to the purposes of  
3 the Conservation Area described in subsection  
4 (b)—

5 (i) in accordance with—

6 (I) the National Environmental  
7 Policy Act of 1969 (42 U.S.C. 4321  
8 et seq.); and

9 (II) any other applicable law; and

10 (ii) subject to such terms and condi-  
11 tions as the Secretary determines to be ap-  
12 propriate.

13 (F) TRIBAL CULTURAL USES.—

14 (i) ACCESS.—The Secretary shall, in  
15 consultation with Indian tribes or pueb-  
16 los—

17 (I) ensure the protection of reli-  
18 gious and cultural sites in the Con-  
19 servation Area; and

20 (II) provide access to the sites by  
21 members of Indian tribes or pueblos  
22 for traditional cultural and customary  
23 uses, consistent with Public Law 95-  
24 341 (commonly known as the “Amer-



- 1 (A) State and local governments;
- 2 (B) tribal governmental entities;
- 3 (C) land grant communities; and
- 4 (D) the public.

5 (4) CONSIDERATIONS.—In preparing and imple-  
6 menting the management plan, the Secretary shall  
7 consider the recommendations of Indian tribes and  
8 pueblos on methods for—

- 9 (A) ensuring access to religious and cul-  
10 tural sites;
- 11 (B) enhancing the privacy and continuity  
12 of traditional cultural and religious activities in  
13 the Conservation Area; and
- 14 (C) protecting traditional cultural and reli-  
15 gious sites in the Conservation Area.

16 (e) INCORPORATION OF ACQUIRED LAND AND INTER-  
17 ESTS IN LAND.—Any land that is within the boundary of  
18 the Conservation Area that is acquired by the United  
19 States shall—

- 20 (1) become part of the Conservation Area; and
- 21 (2) be managed in accordance with—
  - 22 (A) this subtitle; and
  - 23 (B) any other applicable laws.

24 (f) SPECIAL MANAGEMENT AREAS.—



1           (1) IN GENERAL.—The establishment of the  
2           Conservation Area shall not change the management  
3           status of any area within the boundary of the Con-  
4           servation Area that is—

5                   (A) designated as a component of the Na-  
6                   tional Wild and Scenic Rivers System under the  
7                   Wild and Scenic Rivers Act (16 U.S.C. 1271 et  
8                   seq.); or

9                   (B) managed as an area of critical environ-  
10                  mental concern.

11           (2) CONFLICT OF LAWS.—If there is a conflict  
12           between the laws applicable to the areas described in  
13           paragraph (1) and this subtitle, the more restrictive  
14           provision shall control.

15 **SEC. 6003. DESIGNATION OF WILDERNESS AREAS.**

16           (a) IN GENERAL.—In accordance with the Wilderness  
17           Act (16 U.S.C. 1131 et seq.), the following areas in the  
18           Conservation Area are designated as wilderness and as  
19           components of the National Wilderness Preservation Sys-  
20           tem:

21                   (1) CERRO DEL YUTA WILDERNESS.—Certain  
22                   land administered by the Bureau of Land Manage-  
23                   ment in Taos County, New Mexico, comprising ap-  
24                   proximately 13,420 acres as generally depicted on

1 the map, which shall be known as the “Cerro del  
2 Yuta Wilderness”.

3 (2) RÍO SAN ANTONIO WILDERNESS.—Certain  
4 land administered by the Bureau of Land Manage-  
5 ment in Río Arriba County, New Mexico, comprising  
6 approximately 8,000 acres, as generally depicted on  
7 the map, which shall be known as the “Río San An-  
8 tonio Wilderness”.

9 (b) MANAGEMENT OF WILDERNESS AREAS.—Subject  
10 to valid existing rights, the wilderness areas designated  
11 by subsection (a) shall be administered in accordance with  
12 the Wilderness Act (16 U.S.C. 1131 et seq.) and this sub-  
13 title, except that with respect to the wilderness areas des-  
14 ignated by this subtitle—

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

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

21 (c) INCORPORATION OF ACQUIRED LAND AND INTER-  
22 ESTS IN LAND.—Any land or interest in land within the  
23 boundary of the wilderness areas designated by subsection  
24 (a) that is acquired by the United States shall—

1           (1) become part of the wilderness area in which  
2           the land is located; and

3           (2) be managed in accordance with—

4                 (A) the Wilderness Act (16 U.S.C. 1131 et  
5                 seq.);

6                 (B) this subtitle; and

7                 (C) any other applicable laws.

8           (d) GRAZING.—Grazing of livestock in the wilderness  
9           areas designated by subsection (a), where established be-  
10          fore the date of enactment of this Act, shall be adminis-  
11          tered in accordance with—

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

14                 (2) the guidelines set forth in Appendix A of  
15                 the Report of the Committee on Interior and Insular  
16                 Affairs to accompany H.R. 2570 of the 101st Con-  
17                 gress (H. Rept. 101–405).

18           (e) BUFFER ZONES.—

19                 (1) IN GENERAL.—Nothing in this section cre-  
20                 ates a protective perimeter or buffer zone around  
21                 any wilderness area designated by subsection (a).

22                 (2) ACTIVITIES OUTSIDE WILDERNESS  
23                 AREAS.—The fact that an activity or use on land  
24                 outside any wilderness area designated by subsection  
25                 (a) can be seen or heard within the wilderness area

1 shall not preclude the activity or use outside the  
2 boundary of the wilderness area.

3 (f) RELEASE OF WILDERNESS STUDY AREAS.—Con-  
4 gress finds that, for purposes of section 603(c) of the Fed-  
5 eral Land Policy and Management Act of 1976 (43 U.S.C.  
6 1782(c)), the public land within the San Antonio Wilder-  
7 ness Study Area not designated as wilderness by this sec-  
8 tion—

9 (1) has been adequately studied for wilderness  
10 designation;

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

14 (3) shall be managed in accordance with this  
15 subtitle.

16 **SEC. 6004. GENERAL PROVISIONS.**

17 (a) MAPS AND LEGAL DESCRIPTIONS.—

18 (1) IN GENERAL.—As soon as practicable after  
19 the date of enactment of this Act, the Secretary  
20 shall file the map and legal descriptions of the Con-  
21 servation Area and the wilderness areas designated  
22 by section 6003(a) with—

23 (A) the Committee on Energy and Natural  
24 Resources of the Senate; and

1 (B) the Committee on Natural Resources  
2 of the House of Representatives.

3 (2) FORCE OF LAW.—The map and legal de-  
4 scriptions filed under paragraph (1) shall have the  
5 same force and effect as if included in this subtitle,  
6 except that the Secretary may correct errors in the  
7 legal description and map.

8 (3) PUBLIC AVAILABILITY.—The map and legal  
9 descriptions filed under paragraph (1) shall be on  
10 file and available for public inspection in the appro-  
11 priate offices of the Bureau of Land Management.

12 (b) NATIONAL LANDSCAPE CONSERVATION SYS-  
13 TEM.—The Conservation Area and the wilderness areas  
14 designated by section 6003(a) shall be administered as  
15 components of the National Landscape Conservation Sys-  
16 tem.

17 (c) FISH AND WILDLIFE.—Nothing in this subtitle  
18 affects the jurisdiction of the State with respect to fish  
19 and wildlife located on public land in the State, except that  
20 the Secretary, after consultation with the New Mexico De-  
21 partment of Game and Fish, may designate zones where,  
22 and establishing periods when, hunting shall not be al-  
23 lowed for reasons of public safety, administration, or pub-  
24 lic use and enjoyment.

1 (d) WITHDRAWALS.—Subject to valid existing rights,  
2 any Federal land within the Conservation Area and the  
3 wilderness areas designated by section 6003(a), including  
4 any land or interest in land that is acquired by the United  
5 States after the date of enactment of this Act, is with-  
6 drawn from—

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

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

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

13 (e) TREATY RIGHTS.—Nothing in this subtitle en-  
14 larges, diminishes, or otherwise modifies any treaty rights.

15 **SEC. 6005. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums  
17 as are necessary to carry out this subtitle.

18 **Subtitle B—Gold Hill Ranch,**  
19 **California**

20 **SEC. 6011. DEFINITIONS.**

21 In this subtitle:

22 (1) GOLD HILL RANCH.—The term “Gold Hill  
23 Ranch” means the approximately 272 acres of land  
24 located in Coloma, California, as generally depicted

1 on the map entitled “Gold Hill–Wakamatsu Site”  
2 and dated May 7, 2009.

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

5 **SEC. 6012. GOLD HILL RANCH.**

6 (a) ACQUISITION.—The Secretary may acquire the  
7 Gold Hill Ranch, including any interest in the Gold Hill  
8 Ranch, by purchase from a willing seller with donated or  
9 appropriated funds, donation, or exchange.

10 (b) MANAGEMENT.—The Secretary shall manage any  
11 land or interest in land acquired under subsection (a) in  
12 accordance with—

13 (1) this subtitle;

14 (2) the Federal Land Policy and Management  
15 Act of 1976 (43 U.S.C. 1701 et seq.); and

16 (3) any other applicable laws.

17 (c) COOPERATIVE AGREEMENT.—

18 (1) IN GENERAL.—The Secretary may enter  
19 into a cooperative agreement with public or non-  
20 profit entities to interpret the history of the  
21 Wakamatsu Tea and Silk Farm Colony and related  
22 pioneer history associated with Japanese immigra-  
23 tion to the area, including the history of traditional  
24 Japanese crops and farming practices and the con-

1       tribution of those practices to the agricultural econ-  
2       omy of the State of California.

3           (2) INCLUSIONS.—The cooperative agreement  
4       referred to in paragraph (1) may include provisions  
5       for the design and development of a visitor center to  
6       further public education and interpretation of the  
7       Gold Hill Ranch.

8       **SEC. 6013. AUTHORIZATION OF APPROPRIATIONS.**

9       There are authorized to be appropriated such sums  
10      as are necessary to carry out this subtitle.

11           **Subtitle C—Orange County,**  
12           **California**

13      **SEC. 6021. PRESERVATION OF ROCKS AND SMALL ISLANDS**

14           **ALONG THE COAST OF ORANGE COUNTY,**  
15           **CALIFORNIA.**

16      (a) CALIFORNIA COASTAL NATIONAL MONUMENT.—  
17      The Act of February 18, 1931, entitled “An Act to reserve  
18      for public use rocks, pinnacles, reefs, and small islands  
19      along the seacoast of Orange County, California” is  
20      amended by striking “temporarily reserved” and all that  
21      follows through “United States” and inserting “part of  
22      the California Coastal National Monument and shall be  
23      administered as such”.

24      (b) REPEAL OF RESERVATION.—Section 31 of the  
25      Act of May 28, 1935, entitled “An Act to authorize the



1 Secretary of Commerce to dispose of certain lighthouse  
2 reservations, and for other purposes” is hereby repealed.

3 **TITLE LXI—LAND CONVEYANCES**  
4 **AND EXCHANGES**  
5 **Subtitle A—Southeast Arizona**  
6 **Land Exchange**

7 **SEC. 6101. DEFINITIONS.**

8 In this subtitle:

9 (1) **APACHE LEAP.**—The term “Apache Leap”  
10 means the approximately 822 acres of land depicted  
11 on the map entitled “Apache Leap” and dated Janu-  
12 ary 2009.

13 (2) **FEDERAL LAND.**—The term “Federal land”  
14 means the approximately 2,406 acres of land located  
15 in Pinal County, Arizona, depicted on the map enti-  
16 tled “Southeast Arizona Land Exchange and Con-  
17 servation Act of 2009—Federal Parcel—Oak Flat”  
18 and dated January 2009.

19 (3) **INDIAN TRIBE.**—The term “Indian tribe”  
20 has the meaning given the term in section 4 of the  
21 Indian Self-Determination and Education Assistance  
22 Act (25 U.S.C. 450b).

23 (4) **NON-FEDERAL LAND.**—The term “non-Fed-  
24 eral land” means the parcels of land owned by Reso-  
25 lution Copper that are described in section 6103(a).

1           (5) OAK FLAT WITHDRAWAL AREA.—The term  
2           “Oak Flat Withdrawal Area” means the approxi-  
3           mately 760 acres of land depicted on the map enti-  
4           tled “Oak Flat Withdrawal Area” and dated Janu-  
5           ary 2009.

6           (6) RESOLUTION COPPER.—The term “Resolu-  
7           tion Copper” means Resolution Copper Mining,  
8           LLC, a Delaware limited liability company, includ-  
9           ing any successor, assign, affiliate, member, or joint  
10          venturer of Resolution Copper Mining, LLC.

11          (7) SECRETARY.—The term “Secretary” means  
12          the Secretary of Agriculture.

13          (8) STATE.—The term “State” means the State  
14          of Arizona.

15          (9) TOWN.—The term “Town” means the town  
16          of Superior, Arizona.

17 **SEC. 6102. LAND EXCHANGE.**

18          (a) IN GENERAL.—Subject to the provisions of this  
19          subtitle, if Resolution Copper offers to convey to the  
20          United States all right, title, and interest of Resolution  
21          Copper in and to the non-Federal land, and if the Sec-  
22          retary determines that the public interest would be well  
23          served by making the exchange, the Secretary shall convey  
24          to Resolution Copper, all right, title, and interest of the  
25          United States in and to the Federal land.

1 (b) COMPLIANCE WITH APPLICABLE LAW.—

2 (1) IN GENERAL.—Except as otherwise pro-  
3 vided in this subtitle, the Secretary shall carry out  
4 the land exchange under this section in accordance  
5 with section 206 of the Federal Land Policy and  
6 Management Act of 1976 (43 U.S.C. 1716) and  
7 other applicable laws, including the National Envi-  
8 ronmental Policy Act of 1969 (42 U.S.C. 4321 et  
9 seq.).

10 (2) ENVIRONMENTAL REVIEW DOCUMENT.—

11 (A) IN GENERAL.—To the maximum ex-  
12 tent practicable under the National Environ-  
13 mental Policy Act of 1969 (42 U.S.C. 4321 et  
14 seq.) and Council on Environmental Quality  
15 regulations, the Secretary, in consultation with  
16 the Secretary of the Interior and other affected  
17 Federal agencies, shall prepare a single environ-  
18 mental review document, which shall be used as  
19 the basis for all decisions under Federal law re-  
20 lated to the land exchange and connected agen-  
21 cy decisions related to the proposed mine on the  
22 Federal land.

23 (B) EFFECT OF PARAGRAPH.—Nothing in  
24 this paragraph precludes the Secretary from  
25 using separate environmental review documents

1 prepared in accordance with the National Envi-  
2 ronmental Policy Act of 1969 (42 U.S.C. 4321  
3 et seq.) or other applicable laws for exploration  
4 or other activities not involving—

5 (i) the land exchange; or

6 (ii) the extraction of minerals in com-  
7 mercial quantities by Resolution Copper on  
8 or under the Federal land.

9 (c) CONDITIONS ON ACCEPTANCE.—

10 (1) TITLE.—Title to any non-Federal land con-  
11 veyed by Resolution Copper to the United States  
12 under this subtitle shall be in a form that is accept-  
13 able to—

14 (A) the Secretary, for land to be adminis-  
15 tered by the Forest Service; and

16 (B) the Secretary of the Interior, for land  
17 to be administered by the Bureau of Land  
18 Management.

19 (2) TERMS AND CONDITIONS.—The conveyance  
20 of the Federal land and non-Federal land under this  
21 subtitle shall be subject to such terms and conditions  
22 as the Secretary and the Secretary of the Interior  
23 may require.

24 (d) CONSULTATION WITH INDIAN TRIBES.—Prior to  
25 making a public interest determination under subsection

1 (a), the Secretary shall engage in government-to-govern-  
2 ment consultation with affected Indian tribes concerning  
3 issues related to the exchange, in accordance with applica-  
4 ble laws (including regulations).

5 (e) APPRAISALS.—

6 (1) IN GENERAL.—As soon as practicable after  
7 the date of enactment of this Act, the Secretary and  
8 Resolution Copper shall select an appraiser to con-  
9 duct appraisals of the Federal land and non-Federal  
10 land.

11 (2) REQUIREMENTS.—

12 (A) IN GENERAL.—Except as provided in  
13 subparagraph (B), an appraisal prepared under  
14 paragraph (1) shall be conducted in accordance  
15 with nationally recognized appraisal standards,  
16 including—

17 (i) the Uniform Appraisal Standards  
18 for Federal Land Acquisitions; and

19 (ii) the Uniform Standards of Profes-  
20 sional Appraisal Practice.

21 (B) FINAL APPRAISED VALUE.—

22 (i) IN GENERAL.—After the final ap-  
23 praised value is determined and approved  
24 by the Secretary, the Secretary shall not  
25 be required to reappraise or update the

1 final appraised value for a period of 3  
2 years beginning on the date of the ap-  
3 proval by the Secretary of the final ap-  
4 praised value.

5 (ii) REAPPRAISAL.—Nothing in this  
6 subparagraph precludes the Secretary,  
7 prior to entering into an exchange agree-  
8 ment with Resolution Copper, from requir-  
9 ing a reappraisal or update of the final ap-  
10 praisal if the Secretary determines that  
11 such reappraisal or update is necessary.

12 (iii) IMPROVEMENTS.—Any improve-  
13 ments made by Resolution Copper prior to  
14 entering into an exchange agreement shall  
15 not be included in the appraised value of  
16 the Federal land.

17 (C) PUBLIC REVIEW.—Before imple-  
18 menting the land exchange under this subtitle,  
19 the Secretary shall make the appraisals of the  
20 land to be exchanged (or a summary thereof)  
21 available for public review.

22 (3) ADDITIONAL APPRAISAL INFORMATION.—

23 (A) IN GENERAL.—The appraiser selected  
24 under this subsection shall prepare a detailed  
25 income capitalization approach analysis, in ac-

1 cordance with the appraisal requirements re-  
2 ferred to in paragraph (2)(A), of the market  
3 value of the Federal land, even if the income  
4 capitalization approach analysis is not the ap-  
5 praisal approach relied on by the appraiser to  
6 determine the market value of the Federal land.

7 (B) INCLUSION IN FINAL APPRAISAL RE-  
8 PORT.—The income capitalization approach  
9 analysis under subparagraph (A) shall be in-  
10 cluded in the final appraisal report of the Fed-  
11 eral land.

12 (f) EQUAL VALUE LAND EXCHANGE.—

13 (1) IN GENERAL.—The value of the Federal  
14 land and non-Federal land to be exchanged under  
15 this subtitle shall be equal or shall be equalized in  
16 accordance with this subsection.

17 (2) SURPLUS OF FEDERAL LAND VALUE.—

18 (A) IN GENERAL.—If the final appraised  
19 value of the Federal land exceeds the value of  
20 the non-Federal land, Resolution Copper  
21 shall—

22 (i) convey additional non-Federal land  
23 in the State to the Secretary or the Sec-  
24 retary of the Interior, consistent with the

1 requirements of this subtitle and subject to  
2 the approval of the applicable Secretary;

3 (ii) make a cash payment to the  
4 United States; or

5 (iii) use a combination of the methods  
6 described in clauses (i) and (ii), as agreed  
7 to by Resolution Copper, the Secretary,  
8 and the Secretary of the Interior.

9 (B) AMOUNT OF PAYMENT.—The Sec-  
10 retary may accept a payment in excess of 25  
11 percent of the total value of the land or inter-  
12 ests conveyed, notwithstanding section 206(b)  
13 of the Federal Land Policy and Management  
14 Act of 1976 (43 U.S.C. 1716(b)).

15 (C) DISPOSITION AND USE OF PRO-  
16 CEEDS.—Any amounts received by the United  
17 States under this paragraph shall be deposited  
18 in the fund established under Public Law 90-  
19 171 (commonly known as the “Sisk Act”) (16  
20 U.S.C. 484a) and shall be made available to the  
21 Secretary, without further appropriation, for  
22 the acquisition of land for addition to the Na-  
23 tional Forest System in the State.



1           (3) SURPLUS OF NON-FEDERAL LAND.—If the  
2 final appraised value of the non-Federal land ex-  
3 ceeds the value of the Federal land—

4           (A) the United States shall not make a  
5 payment to Resolution Copper to equalize the  
6 value; and

7           (B) except as provided in section 6108, the  
8 surplus value of the non-Federal land shall be  
9 considered to be a donation by Resolution Cop-  
10 per to the United States.

11 (g) OAK FLAT WITHDRAWAL AREA.—

12           (1) IN GENERAL.—Subject to the provisions of  
13 this subsection and notwithstanding any withdrawal  
14 of the Oak Flat Withdrawal Area from the mining,  
15 mineral leasing, or public land laws, the Secretary  
16 may authorize Resolution Copper to carry out min-  
17 eral exploration activities—

18           (A) under the Oak Flat Withdrawal Area,  
19 so long as such activities would not disturb the  
20 surface of the area; and

21           (B) on the Oak Flat Withdrawal Area (but  
22 not within the Oak Flat Campground), so long  
23 as such activities are conducted from a single  
24 exploratory drill pad.

1           (2) CONDITIONS.—Any activities undertaken in  
2           accordance with this subsection shall be subject to  
3           such terms and conditions as the Secretary may re-  
4           quire.

5           (3) TERMINATION.—The authorization for Res-  
6           olution Copper to undertake mineral exploration ac-  
7           tivities under this subsection shall terminate on the  
8           earlier of—

9                   (A) the date the land is conveyed to Reso-  
10                  lution Copper in accordance with this subtitle;  
11                  or

12                   (B) the date that is 3 years after the date  
13                  a special use permit is issued in accordance  
14                  with this subsection.

15           (h) COSTS.—As a condition of the land exchange,  
16           Resolution Copper shall agree to pay, without compensa-  
17           tion, any costs that are—

18                   (1) associated with the land exchange; and

19                   (2) agreed to by the Secretary.

20           (i) INTENT OF CONGRESS.—

21                   (1) IN GENERAL.—It is the intent of Congress  
22                  that the Secretary shall complete any necessary envi-  
23                  ronmental reviews and public interest determination  
24                  on the land exchange not later than 3 years after

1 the date Resolution Copper submits a mining plan of  
2 operation to the Secretary.

3 (2) AGREEMENT.—If the Secretary determines  
4 that the public interest would be well served by mak-  
5 ing the land exchange, it is the intent of Congress  
6 that the Secretary seek to enter into an exchange  
7 agreement not later than 90 days after the date of  
8 the public interest determination.

9 **SEC. 6103. CONVEYANCE AND MANAGEMENT OF NON-FED-**  
10 **ERAL LAND.**

11 (a) CONVEYANCE.—On receipt of title to the Federal  
12 land, Resolution Copper shall simultaneously convey—

13 (1) to the Secretary of Agriculture, all right,  
14 title, and interest that the Secretary determines to  
15 be acceptable in and to—

16 (A) the approximately 147 acres of land lo-  
17 cated in Gila County, Arizona, depicted on the  
18 map entitled “Southeast Arizona Land Con-  
19 servation Act of 2009–Non-Federal Parcel–Tur-  
20 key Creek” and dated January 2009;

21 (B) the approximately 148 acres of land  
22 located in Yavapai County, Arizona, depicted on  
23 the map entitled “Southeast Arizona Land Con-  
24 servation Act of 2009–Non-Federal Parcel–  
25 Tangle Creek” and dated January 2009;

1           (C) the approximately 149 acres of land lo-  
2 cated in Maricopa County, Arizona, depicted on  
3 the map entitled “Southeast Arizona Land Con-  
4 servation Act of 2009–Non-Federal Parcel–  
5 Cave Creek” and dated January 2009;

6           (D) the approximately 640 acres of land  
7 located in Coconino County, Arizona, depicted  
8 on the map entitled “Southeast Arizona Land  
9 Exchange and Conservation Act of 2009–Non-  
10 Federal Parcel–East Clear Creek” and dated  
11 January 2009;

12           (E) the approximately 95 acres of land lo-  
13 cated in Pinal County, Arizona, depicted on the  
14 map entitled “Southeast Arizona Land Con-  
15 servation Act of 2009–Non-Federal Parcel–The  
16 Pond” and dated January 2009; and

17           (F) the approximately 110 acres of land lo-  
18 cated in Pinal County, Arizona, depicted on the  
19 map entitled “Southeast Arizona Land Con-  
20 servation Act of 2009–Non-Federal Parcel–  
21 Apache Leap South End” and dated January  
22 2009, subject to the retained right of Resolu-  
23 tion Copper to conduct underground activities  
24 that—

1 (i) the Secretary determines would not  
2 disturb the surface of Apache Leap; and

3 (ii) do not involve commercial mineral  
4 extraction under Apache Leap; and

5 (2) to the Secretary of the Interior, all right,  
6 title, and interest that the Secretary of the Interior  
7 determines to be acceptable in and to—

8 (A) the approximately 3,050 acres of land  
9 located in Pinal County, Arizona, identified as  
10 “Lands to DOI” as generally depicted on the  
11 map entitled “Lower San Pedro River” and  
12 dated June 3, 2009;

13 (B) the approximately 160 acres of land  
14 located in Gila and Pinal Counties, Arizona,  
15 identified as “Lands to DOI” as generally de-  
16 picted on the map entitled “Dripping Springs”  
17 and dated June 3, 2009; and

18 (C) the approximately 940 acres of land lo-  
19 cated in Santa Cruz County, Arizona, identified  
20 as “Lands to DOI” as generally depicted on the  
21 map entitled “Appleton Ranch” and dated June  
22 3, 2009.

23 (b) MANAGEMENT OF ACQUIRED LAND.—

24 (1) LAND ACQUIRED BY THE SECRETARY.—

1 (A) IN GENERAL.—Land acquired by the  
2 Secretary under this subtitle shall—

3 (i) become part of the national forest  
4 in which the land is located; and

5 (ii) be administered in accordance  
6 with the laws applicable to the National  
7 Forest System.

8 (B) BOUNDARY REVISION.—On acquisition  
9 of land by the Secretary under this subtitle, the  
10 boundaries of the national forest shall be modi-  
11 fied to reflect the inclusion of the acquired land.

12 (C) LAND AND WATER CONSERVATION  
13 FUND.—For purposes of section 7 of the Land  
14 and Water Conservation Fund Act of 1965 (16  
15 U.S.C. 4601–9), the boundaries of a national  
16 forest in which land acquired by the Secretary  
17 is located shall be deemed to be the boundaries  
18 of that forest as in existence on January 1,  
19 1965.

20 (2) LAND ACQUIRED BY THE SECRETARY OF  
21 THE INTERIOR.—

22 (A) SAN PEDRO RIPARIAN NATIONAL CON-  
23 SERVATION AREA.—

24 (i) IN GENERAL.—The following land  
25 shall be added to, and administered as part

1 of, the San Pedro Riparian National Con-  
2 servation Area in accordance with the laws  
3 (including regulations) applicable to the  
4 Conservation Area:

5 (I) The land acquired by the Sec-  
6 retary of the Interior under subsection  
7 (a)(2)(A).

8 (II) Any land acquired by the  
9 Secretary of the Interior which is ad-  
10 jacent to the San Pedro Riparian Na-  
11 tional Conservation Area.

12 (ii) MANAGEMENT PLAN.—Not later  
13 than 2 years after the date on which the  
14 land is acquired, the Secretary of the Inte-  
15 rior shall update the management plan for  
16 the San Pedro Riparian National Con-  
17 servation Area to reflect the management  
18 requirements of the acquired land.

19 (B) DRIPPING SPRINGS.—Land acquired  
20 by the Secretary of the Interior under sub-  
21 section (a)(2)(B) shall be managed in accord-  
22 ance with the Federal Land Policy and Man-  
23 agement Act of 1976 (43 U.S.C. 1701 et seq.)  
24 and applicable land use plans.

1                   (C) LAS CIENEGAS NATIONAL CONSERVA-  
2                   TION AREA.—Land acquired by the Secretary of  
3                   the Interior under subsection (a)(2)(C) shall be  
4                   added to, and administered as part of, the Las  
5                   Cienegas National Conservation Area in accord-  
6                   ance with the laws (including regulations) appli-  
7                   cable to the Conservation Area.

8           (c) SURRENDER OF RIGHTS.—In addition to the con-  
9           veyance of the non-Federal land conveyed to the United  
10           States under this subtitle, and as a condition of the land  
11           exchange, Resolution Copper shall surrender to the United  
12           States, without compensation, the rights held by Resolu-  
13           tion Copper under the mining laws and other laws of the  
14           United States to commercially extract minerals under—

15                   (1) Apache Leap; and

16                   (2) the property described in subsection  
17           (a)(1)(E) (commonly known as “The Pond”).

18   **SEC. 6104. RECREATIONAL ACCESS AND IMPROVEMENTS.**

19           (a) RECREATIONAL ACCESS AND FACILITIES.—

20                   (1) IN GENERAL.—As a condition of the land  
21                   exchange under this subtitle, Resolution Copper  
22                   shall pay to the Secretary \$1,250,000, to improve  
23                   access and facilities for dispersed recreation and  
24                   other outdoor recreational activities as provided in  
25                   paragraph (2).



1           (2) USE OF AMOUNTS.—The Secretary shall use  
2           the amount paid in accordance with paragraph (1),  
3           without further appropriation, to construct or im-  
4           prove road access, turnouts, trails, parking areas, or  
5           facilities for dispersed recreation and other outdoor  
6           recreational activities as the Secretary determines to  
7           be appropriate.

8           (3) PREFERRED LOCATIONS.—To the maximum  
9           extent practicable, the funds made available under  
10          this subsection shall be used by the Secretary on na-  
11          tional forest land—

12                   (A) in the general area north of Arizona  
13                   State Highway 60; or

14                   (B) in the general area along Arizona  
15                   State Highway 177.

16          (b) DETERMINATION OF VALUE.—Amounts paid by  
17          Resolution Copper under this section shall not be consid-  
18          ered in determining the value of the Federal and non-Fed-  
19          eral land under section 6102(f).

20          **SEC. 6105. VALUE ADJUSTMENT PAYMENT TO UNITED**  
21                   **STATES.**

22          (a) ANNUAL PRODUCTION REPORTING.—

23                   (1) IN GENERAL.—As a condition of the ex-  
24                   change, beginning on February 15 of the first cal-  
25                   endar year beginning after the date of commence-

1       ment of production of valuable locatable minerals in  
2       commercial quantities from the Federal land con-  
3       veyed to Resolution Copper under section 6102, and  
4       annually thereafter, Resolution Copper shall file with  
5       the Secretary of the Interior a report indicating the  
6       quantity of locatable minerals produced in commer-  
7       cial quantities from the Federal land during the pre-  
8       ceding calendar year.

9               (2) REPORT CONTENTS.—The reports under  
10       paragraph (1) shall comply with any recordkeeping  
11       and reporting requirements prescribed by the Sec-  
12       retary or required by applicable Federal laws in ef-  
13       fect at the time of production.

14       (b) PAYMENT ON PRODUCTION.—If the cumulative  
15       production of valuable locatable minerals produced in com-  
16       mercial quantities from the Federal land conveyed to Res-  
17       olution Copper under section 6102 exceeds the quantity  
18       of production of locatable minerals from the Federal land  
19       used in the income capitalization approach analysis pre-  
20       pared under section 6102(e)(3), Resolution Copper shall  
21       pay to the United States, by not later than March 15 of  
22       each applicable calendar year, a value adjustment payment  
23       for the quantity of excess production at the same rate as-  
24       sumed for the income capitalization approach analysis pre-  
25       pared under section 6102(e)(3).

1           (c) STATE LAW UNAFFECTED.—Nothing in this sec-  
2 tion modifies, expands, diminishes, amends, or otherwise  
3 affects any State law relating to the imposition, applica-  
4 tion, timing, or collection of a State excise or severance  
5 tax.

6           (d) USE OF FUNDS.—The funds paid to the United  
7 States under this section shall be deposited in the fund  
8 established under Public Law 90-171 (commonly known  
9 as the “Sisk Act”) (16 U.S.C. 484a) and shall be made  
10 available to the Secretary, without further appropriation,  
11 for the acquisition of land for addition to the National  
12 Forest System in the State.

13 **SEC. 6106. WITHDRAWAL.**

14           Subject to valid existing rights, Apache Leap and any  
15 land acquired by the United States under this subtitle is  
16 withdrawn from all forms of—

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

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

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

23 **SEC. 6107. APACHE LEAP.**

24           (a) MANAGEMENT.—

1           (1) IN GENERAL.—The Secretary shall manage  
2 Apache Leap to preserve the natural character of  
3 Apache Leap and to protect archeological and cul-  
4 tural resources located on Apache Leap.

5           (2) SPECIAL USE PERMITS.—The Secretary  
6 may issue to Resolution Copper special use permits  
7 allowing Resolution Copper to carry out under-  
8 ground activities (other than the commercial extrac-  
9 tion of minerals) under the surface of Apache Leap  
10 that the Secretary determines would not disturb the  
11 surface of the land, subject to any terms and condi-  
12 tions that the Secretary may require.

13           (3) FENCES; SIGNAGE.—The Secretary may  
14 allow use of the surface of Apache Leap for installa-  
15 tion of fences, signs, or other measures necessary to  
16 protect the health and safety of the public, protect  
17 resources located on Apache Leap, or to ensure that  
18 activities conducted under paragraph (2) do not af-  
19 fect the surface of Apache Leap.

20           (b) PLAN.—

21           (1) IN GENERAL.—Not later than 3 years after  
22 the date of enactment of this Act, the Secretary, in  
23 consultation with applicable Indian tribes, the Town,  
24 Resolution Copper, and other interested members of

1 the public, shall prepare a management plan for  
2 Apache Leap.

3 (2) CONSIDERATIONS.—In preparing the plan  
4 under paragraph (1), the Secretary shall consider  
5 whether additional measures are necessary to—

6 (A) protect the cultural, archaeological, or  
7 historical resources of Apache Leap, including  
8 permanent or seasonal closures of all or a por-  
9 tion of Apache Leap; and

10 (B) provide access for recreation.

11 **SEC. 6108. CONVEYANCES TO TOWN OF SUPERIOR, ARI-**  
12 **ZONA.**

13 (a) CONVEYANCES.—

14 (1) IN GENERAL.—On request from the Town  
15 and subject to the provisions of this section, the Sec-  
16 retary shall convey to the Town the following:

17 (A) Approximately 30 acres of land as de-  
18 picted on the map entitled “Southeast Arizona  
19 Land Exchange and Conservation Act of 2009–  
20 Federal Parcel–Fairview Cemetery” and dated  
21 January 2009.

22 (B) The reversionary interest and any re-  
23 served mineral interest of the United States in  
24 the approximately 265 acre of land located in  
25 Pinal County, Arizona, as depicted on the map

1           entitled “Southeast Arizona Land Exchange  
2           and Conservation Act of 2009–Federal Rever-  
3           sionary Interest–Superior Airport” and dated  
4           January 2009.

5           (C) The approximately 250 acres of land  
6           located in Pinal County, Arizona, as depicted  
7           on the map entitled “Southeast Arizona Land  
8           Exchange and Conservation Act of 2009–Fed-  
9           eral Parcel–Superior Airport Contiguous Par-  
10          cels” and dated January 2009.

11         (b) PAYMENT.—

12           (1) IN GENERAL.—The Town shall pay to the  
13           Secretary the fair market value for each parcel of  
14           land or interest in land acquired under this section,  
15           as determined by appraisals conducted in accordance  
16           with section 6102(e).

17           (2) REDUCTION.—If the final appraised value  
18           of the non-Federal land exceeds the value of the  
19           Federal land under section 6102—

20           (A) the obligation of the Town to pay the  
21           United States shall be reduced by an amount  
22           not to exceed the excess value of the non-Fed-  
23           eral land conveyed to the United States; and

1 (B) the amount donated by Resolution  
2 Copper to the United States shall be reduced  
3 accordingly.

4 (c) SISK ACT.—Any payment received by the Sec-  
5 retary from the Town under this section shall be deposited  
6 in the fund established under Public Law 90-171 (com-  
7 monly known as the “Sisk Act”) (16 U.S.C. 484a) and  
8 shall be made available to the Secretary, without further  
9 appropriation, for the acquisition of land for addition to  
10 the National Forest System in the State.

11 (d) TERMS AND CONDITIONS.—The conveyances  
12 under this section shall be subject to such terms and con-  
13 ditions as the Secretary may require.

14 **Subtitle B—Salmon Lake Land**  
15 **Selection Resolution**

16 **SEC. 6111. PURPOSE.**

17 The purpose of this subtitle is to ratify the Salmon  
18 Lake Area Land Ownership Consolidation Agreement en-  
19 tered into by the United States, the State of Alaska, and  
20 the Bering Straits Native Corporation.

21 **SEC. 6112. DEFINITIONS.**

22 In this subtitle:

23 (1) AGREEMENT.—The term “Agreement”  
24 means the document between the United States, the

1 State, and the Bering Straits Native Corporation  
2 that—

3 (A) is entitled the “Salmon Lake Area  
4 Land Ownership Consolidation Agreement”;

5 (B) had an initial effective date of July 18,  
6 2007, which was extended until January 1,  
7 2011 by agreement of the parties to the Agree-  
8 ment effective January 1, 2009; and

9 (C) is on file with Department of the Inte-  
10 rior, the Committee on Energy and Natural Re-  
11 sources of the Senate, and the Committee on  
12 Natural Resources of the House of Representa-  
13 tives.

14 (2) BERING STRAITS NATIVE CORPORATION.—  
15 The term “Bering Straits Native Corporation”  
16 means an Alaskan Native Regional Corporation  
17 formed under the Alaska Native Claims Settlement  
18 Act (43 U.S. C. 1601 et. seq.) for the Bering Straits  
19 region of the State.

20 (3) SECRETARY.—The term “Secretary” means  
21 the Secretary of the Interior.

22 (4) STATE.—The term “State” means the State  
23 of Alaska.



1 **SEC. 6113. RATIFICATION AND IMPLEMENTATION OF**  
2 **AGREEMENT.**

3 (a) IN GENERAL.—Subject to the provisions of this  
4 subtitle, Congress ratifies the Agreement.

5 (b) EASEMENTS.—The conveyance of land to the  
6 Bering Straits Native Corporation, as specified in the  
7 Agreement, shall include the reservation of the easements  
8 that—

9 (1) are identified in Appendix E to the Agree-  
10 ment; and

11 (2) were developed by the parties to the Agree-  
12 ment in accordance with section 17(b) of the Alaska  
13 Native Claims Settlement Act (43 U.S.C. 1616(b)).

14 (c) CORRECTIONS.—Beginning on the date of enact-  
15 ment of this Act, the Secretary, with the consent of the  
16 other parties to the Agreement, may only make typo-  
17 graphical or clerical corrections to the Agreement and any  
18 exhibits to the Agreement.

19 (d) AUTHORIZATION.—The Secretary shall carry out  
20 all actions required by the Agreement.

21 **Subtitle C—Southern Nevada High-**  
22 **er Education Land Conveyance**

23 **SEC. 6121. DEFINITIONS.**

24 In this subtitle:

1           (1) BOARD OF REGENTS.—The term “Board of  
2 Regents” means the Board of Regents of the Ne-  
3 vada System of Higher Education.

4           (2) CAMPUSES.—The term “Campuses” means  
5 the Great Basin College, College of Southern Ne-  
6 vada, and University of Las Vegas, Nevada, cam-  
7 puses.

8           (3) FEDERAL LAND.—The term “Federal land”  
9 means each of the 3 parcels of Bureau of Land  
10 Management land identified on the maps as “Parcel  
11 to be Conveyed”, of which—

12                 (A) approximately 40 acres is to be con-  
13 veyed for the College of Southern Nevada;

14                 (B) approximately 2,085 acres is to be  
15 conveyed for the University of Nevada, Las  
16 Vegas; and

17                 (C) approximately 285 acres is to be con-  
18 veyed for the Great Basin College.

19           (4) MAP.—The term “Map” means each of the  
20 3 maps entitled “Southern Nevada Higher Edu-  
21 cation Land Act”, dated July 11, 2008, and on file  
22 and available for public inspection in the appropriate  
23 offices of the Bureau of Land Management.

24           (5) SECRETARY.—The term “Secretary” means  
25 the Secretary of the Interior.

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

3           (7) SYSTEM.—The term “System” means the  
4 Nevada System of Higher Education.

5 **SEC. 6122. CONVEYANCES OF FEDERAL LAND TO THE SYS-**  
6 **TEM.**

7 (a) CONVEYANCES.—

8           (1) IN GENERAL.—Notwithstanding section 202  
9 of the Federal Land Policy and Management Act of  
10 1976 (43 U.S.C. 1712) and section 1(c) of the Act  
11 of June 14, 1926 (commonly known as the “Recre-  
12 ation and Public Purposes Act”) (43 U.S.C. 869(c)),  
13 and subject to all valid existing rights, the Secretary  
14 shall—

15           (A) not later than 180 days after the date  
16 of enactment of this Act, convey to the System,  
17 without consideration, all right, title, and inter-  
18 est of the United States in and to the Federal  
19 land for the Great Basin College and the Col-  
20 lege of Southern Nevada; and

21           (B) on the receipt of certification of ac-  
22 ceptable remediation of environmental condi-  
23 tions existing on the parcel to be conveyed for  
24 the University of Nevada, Las Vegas, convey to  
25 the System, without consideration, all right,

1 title, and interest of the United States in and  
2 to the Federal land for the University of Ne-  
3 vada, Las Vegas.

4 (2) PHASES.—The Secretary may phase the  
5 conveyance of the Federal land under paragraph  
6 (1)(B) as remediation is completed.

7 (b) CONDITIONS.—

8 (1) IN GENERAL.—As a condition of the con-  
9 veyance under subsection (a)(1), the Board of Re-  
10 gents shall agree in writing—

11 (A) to pay any administrative costs associ-  
12 ated with the conveyance, including the costs of  
13 any environmental, wildlife, cultural, or histor-  
14 ical resources studies;

15 (B) to use the Federal land conveyed for  
16 educational and recreational purposes;

17 (C) to release and indemnify the United  
18 States from any claims or liabilities that may  
19 arise from uses carried out on the Federal land  
20 on or before the date of enactment of this Act  
21 by the United States or any person;

22 (D) as soon as practicable after the date of  
23 the conveyance under subsection (a)(1), to erect  
24 at each of the Campuses an appropriate and  
25 centrally located monument that acknowledges

1 the conveyance of the Federal land by the  
2 United States for the purpose of furthering the  
3 higher education of the citizens in the State;  
4 and

5 (E) to assist the Bureau of Land Manage-  
6 ment in providing information to the students  
7 of the System and the citizens of the State  
8 on—

9 (i) public land (including the manage-  
10 ment of public land) in the Nation; and

11 (ii) the role of the Bureau of Land  
12 Management in managing, preserving, and  
13 protecting the public land in the State.

14 (2) NELLIS AIR FORCE BASE.—

15 (A) IN GENERAL.—The Federal land con-  
16 veyed to the System under this subtitle shall be  
17 used in accordance with the agreement entitled  
18 the “Cooperative Interlocal Agreement between  
19 the Board of Regents of the Nevada System of  
20 Higher Education, on Behalf of the University  
21 of Nevada, Las Vegas, and the 99th Air Base  
22 Wing, Nellis Air Force Base, Nevada” and  
23 dated June 19, 2009.

24 (B) MODIFICATIONS.—Any modifications  
25 to the interlocal agreement described in sub-

1 paragraph (A) and any related master plan  
2 shall require the mutual assent of the parties to  
3 the agreement.

4 (C) LIMITATION.—In no case shall the use  
5 of the Federal land conveyed under subsection  
6 (a)(1)(B) compromise the national security mis-  
7 sion or avigation rights of Nellis Air Force  
8 Base.

9 (c) USE OF FEDERAL LAND.—

10 (1) IN GENERAL.—The System may use the  
11 Federal land conveyed under subsection (a)(1) for—

12 (A) any educational or public purpose re-  
13 lating to the establishment, operation, growth,  
14 and maintenance of the System, including—

15 (i) educational facilities;

16 (ii) housing for students, employees of  
17 the System, and educators;

18 (iii) student life and recreational fa-  
19 cilities, public parks, and open space;

20 (iv) university and college medical and  
21 health facilities; and

22 (v) research facilities; and

23 (B) any other public purpose that would  
24 generally be associated with an institution of  
25 higher education, consistent with the Act of

1           June 14, 1926 (commonly known as the  
2           “Recreation and Public Purposes Act”) (43  
3           U.S.C. 869 et seq.).

4           (2) OTHER ENTITIES.—The System may—

5                   (A) consistent with Federal and State law,  
6           lease, or otherwise provide property or space at,  
7           the Campuses, with or without consideration, to  
8           religious, public interest, community, or other  
9           groups for services and events that are of inter-  
10          est to the System or to any community located  
11          in southern Nevada;

12                   (B) allow any other communities in south-  
13          ern Nevada to use facilities of the Campuses for  
14          educational and recreational programs of the  
15          community; and

16                   (C) in conjunction with the city of Las  
17          Vegas, North Las Vegas, or Pahrump or Clark  
18          or Nye County plan, finance (including through  
19          the provision of cost-share assistance), con-  
20          struct, and operate facilities for the city of Las  
21          Vegas, North Las Vegas, or Pahrump or Clark  
22          or Nye County on the Federal land conveyed  
23          for educational or recreational purposes con-  
24          sistent with this section.

1 (d) REVERSION.—If the Federal land or any portion  
2 of the Federal land conveyed under subsection (a)(1)  
3 ceases to be used for the System in accordance with this  
4 subtitle, the Federal land, or any portion of the Federal  
5 land shall, at the discretion of the Secretary, revert to the  
6 United States.

7 **SEC. 6123. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums  
9 as are necessary to carry out this subtitle.

10 **Subtitle D—La Pine, Oregon, Land**  
11 **Conveyance**

12 **SEC. 6131. DEFINITIONS.**

13 In this subtitle:

14 (1) CITY.—The term “City” means the City of  
15 La Pine, Oregon.

16 (2) COUNTY.—The term “County” means the  
17 County of Deschutes, Oregon.

18 (3) MAP.—The term “map” means the map en-  
19 titled “La Pine, Oregon Land Transfer” and dated  
20 December 11, 2009.

21 (4) SECRETARY.—The term “Secretary” means  
22 the Secretary of the Interior, acting through the Di-  
23 rector of the Bureau of Land Management.



1 **SEC. 6132. CONVEYANCES OF LAND.**

2 (a) IN GENERAL.—As soon as practicable after the  
3 date of enactment of this Act, subject to valid existing  
4 rights and the provisions of this subtitle, and notwith-  
5 standing the land use planning requirements of sections  
6 202 and 203 of the Federal Land Policy and Management  
7 Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall  
8 convey to the City or County, without consideration, all  
9 right, title, and interest of the United States in and to  
10 each parcel of land described in subsection (b).

11 (b) DESCRIPTION OF LAND.—The parcels of land re-  
12 ferred to in subsection (a) consist of—

13 (1) the approximately 150 acres of land man-  
14 aged by the Bureau of Land Management, Prineville  
15 District, Oregon, depicted on the map as “parcel A”,  
16 to be conveyed to the County, which is subject to a  
17 right-of-way retained by the Bureau of Land Man-  
18 agement for a power substation and transmission  
19 line;

20 (2) the approximately 750 acres of land man-  
21 aged by the Bureau of Land Management, Prineville  
22 District, Oregon, depicted on the map as “parcel  
23 B”, to be conveyed to the County; and

24 (3) the approximately 10 acres of land managed  
25 by the Bureau of Land Management, Prineville Dis-

1           trict, Oregon, depicted on the map as “parcel C”, to  
2           be conveyed to the City.

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

6           (d) USE OF CONVEYED LAND.—

7           (1) IN GENERAL.—Consistent with the Act of  
8           June 14, 1926 (commonly known as the “Recreation  
9           and Public Purposes Act”) (43 U.S.C. 869 et seq.),  
10          the land conveyed under subsection (a) shall be used  
11          for the following public purposes and associated  
12          uses:

13                 (A) The parcel described in subsection  
14                 (b)(1) shall be used for outdoor recreation, open  
15                 space, or public parks, including a rodeo  
16                 ground.

17                 (B) The parcel described in subsection  
18                 (b)(2) shall be used for a public sewer system.

19                 (C) The parcel described in subsection  
20                 (b)(3) shall be used for a public library, public  
21                 park, or open space.

22           (2) ADDITIONAL TERMS AND CONDITIONS.—  
23          The Secretary may require such additional terms  
24          and conditions for the conveyances under subsection

1 (a) as the Secretary determines to be appropriate to  
2 protect the interests of the United States.

3 (e) ADMINISTRATIVE COSTS.—The Secretary shall  
4 require the County to pay all survey costs and other ad-  
5 ministrative costs associated with the conveyances to the  
6 County under this subtitle.

7 (f) REVERSION.—If the land conveyed under sub-  
8 section (a) ceases to be used for the public purpose for  
9 which the land was conveyed, the land shall, at the discre-  
10 tion of the Secretary, revert to the United States.

11 **TITLE LXII—SLOAN HILLS**  
12 **MINERAL WITHDRAWAL**

13 **SEC. 6201. WITHDRAWAL OF SLOAN HILLS AREA OF CLARK**  
14 **COUNTY, NEVADA.**

15 (a) DEFINITION OF FEDERAL LAND.—In this sec-  
16 tion, the term “Federal land” means the land identified  
17 as the “Withdrawal Zone” on the map entitled “Sloan  
18 Hills Area” and dated June 24, 2010.

19 (b) WITHDRAWAL.—Subject to valid rights in exist-  
20 ence on the date of introduction of this Act, the Federal  
21 land is withdrawn from all forms of—

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

24 (2) disposition under all laws pertaining to min-  
25 eral and geothermal leasing or mineral materials.

1           **DIVISION G—RIVERS AND**  
2                           **TRAILS**  
3 **TITLE    LXX—NATIONAL    WILD**  
4           **AND SCENIC RIVERS SYSTEM**  
5           **AMENDMENTS**

6 **SEC. 7001. MOLALLA RIVER, OREGON.**

7           (a) DESIGNATION OF WILD AND SCENIC RIVER SEG-  
8 MENTS, MOLALLA RIVER, OREGON.—Section 3(a) of the  
9 Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as  
10 amended by section 2203) is amended by adding at the  
11 end the following:

12                   “(213) MOLALLA RIVER, OREGON.—

13                           “(A) IN GENERAL.—The following seg-  
14 ments in the State of Oregon, to be adminis-  
15 tered by the Secretary of the Interior as a rec-  
16 reational river:

17                                   “(i) MOLALLA RIVER.—The approxi-  
18 mately 15.1-mile segment from the south-  
19 ern boundary line of T. 7 S., R. 4 E., sec.  
20 19, downstream to the edge of the Bureau  
21 of Land Management boundary in T. 6 S.,  
22 R. 3 E., sec. 7.

23                                   “(ii) TABLE ROCK FORK MOLALLA  
24 RIVER.—The approximately 6.2-mile seg-  
25 ment from the easternmost Bureau of

1 Land Management boundary line in the  
2 NE<sup>1</sup>/<sub>4</sub> sec. 4, T. 7 S., R. 4 E., downstream  
3 to the confluence with the Molalla River.

4 “(B) WITHDRAWAL.—Subject to valid ex-  
5 isting rights, the Federal land within the  
6 boundaries of the river segments designated by  
7 subparagraph (A) is withdrawn from all forms  
8 of—

9 “(i) entry, appropriation, or disposal  
10 under the public land laws;

11 “(ii) location, entry, and patent under  
12 the mining laws; and

13 “(iii) disposition under all laws relat-  
14 ing to mineral and geothermal leasing or  
15 mineral materials.”.

16 (b) TECHNICAL CORRECTIONS.—Section 3(a)(102) of  
17 the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(102))  
18 is amended—

19 (1) in the heading, by striking “SQUAW CREEK”  
20 and inserting “WHYCHUS CREEK”;

21 (2) in the matter preceding subparagraph (A),  
22 by striking “McAllister Ditch, including the Soap  
23 Fork Squaw Creek, the North Fork, the South  
24 Fork, the East and West Forks of Park Creek, and  
25 Park Creek Fork” and inserting “Plainview Ditch,

1 including the Soap Creek, the North and South  
2 Forks of Whychus Creek, the East and West Forks  
3 of Park Creek, and Park Creek”; and

4 (3) in subparagraph (B), by striking  
5 “McAllister Ditch” and inserting “Plainview Ditch”.

6 **SEC. 7002. ILLABOT CREEK, WASHINGTON.**

7 Section 3(a) of the Wild and Scenic Rivers Act (16  
8 U.S.C. 1274(a)) (as amended by section 7001(a)) is  
9 amended by adding at the end the following:

10 “(214) ILLABOT CREEK, WASHINGTON.—

11 “(A) The 14.3 mile segment from the  
12 headwaters of Illabot Creek to the northern ter-  
13 minus as generally depicted on the map titled  
14 ‘Illabot Creek Proposed WSR – Northern Ter-  
15 minus’, dated September 15, 2009, to be ad-  
16 ministered by the Secretary of Agriculture as  
17 follows:

18 “(i) The 4.3 mile segment from the  
19 headwaters of Illabot Creek to the bound-  
20 ary of Glacier Peak Wilderness Area as a  
21 wild river.

22 “(ii) The 10 mile segment from the  
23 boundary of Glacier Peak Wilderness to  
24 the northern terminus as generally de-  
25 picted on the map titled ‘Illabot Creek

1 Proposed WSR – Northern Terminus’,  
2 dated September 15, 2009, as a rec-  
3 reational river.

4 “(B) Action required to be taken under  
5 subsection (d)(1) for the river segments des-  
6 igned under this paragraph shall be com-  
7 pleted through revision of the Skagit Wild and  
8 Scenic River comprehensive management  
9 plan.”.

10 **SEC. 7003. WHITE CLAY CREEK.**

11 (a) DESIGNATION.—Section 3(a)(163) of the Wild  
12 and Scenic Rivers Act (16 U.S. C. 1274(a)(163)) is  
13 amended—

14 (1) in the matter preceding subparagraph (A)—

15 (A) by striking “190 miles” and inserting  
16 “199 miles”; and

17 (B) by striking “the recommended designa-  
18 tion and classification maps (dated June  
19 2000)” and inserting “the map entitled ‘White  
20 Clay Creek Wild and Scenic River Designated  
21 Area Map’ and dated July 2008, the map enti-  
22 tled ‘White Clay Creek Wild and Scenic River  
23 Classification Map’ and dated July 2008, and  
24 the map entitled ‘White Clay Creek National

1 Wild and Scenic River Proposed Additional  
2 Designated Segments-July 2008’”;

3 (2) by striking subparagraph (B) and inserting  
4 the following:

5 “(B) 22.4 miles of the east branch begin-  
6 ning at the southern boundary line of the Bor-  
7 ough of Avondale, including Walnut Run,  
8 Broad Run, and Egypt Run, outside the bound-  
9 aries of the White Clay Creek Preserve, as a  
10 recreational river.”; and

11 (3) by striking subparagraph (H) and inserting  
12 the following:

13 “(H) 14.3 miles of the main stem, includ-  
14 ing Lamborn Run, that flow through the  
15 boundaries of the White Clay Creek Preserve,  
16 Pennsylvania and Delaware, and White Clay  
17 Creek State Park, Delaware beginning at the  
18 confluence of the east and middle branches in  
19 London Britain Township, Pennsylvania, down-  
20 stream to the northern boundary line of the  
21 City of Newark, Delaware, as a scenic river.”.

22 (b) ADMINISTRATION.—Sections 4 through 8 of Pub-  
23 lic Law 106–357 (16 U.S.C. 1274 note; 114 Stat. 1393),  
24 shall be applicable to the additional segments of the White



1 Clay Creek designated by the amendments made by sub-  
2 section (a).

3 **SEC. 7004. ELK RIVER, WEST VIRGINIA.**

4 (a) DESIGNATION.—Section 5(a) of the Wild and  
5 Scenic Rivers Act (16 U.S.C. 1276(a)) (as amended by  
6 section 7002) is amended by adding at the end the fol-  
7 lowing:

8 “(215) ELK RIVER, WEST VIRGINIA.—The ap-  
9 proximate 5-mile segment of the Elk River from the  
10 confluence of the Old Field Fork and the Big Spring  
11 Fork in Pocahontas County to the Pocahontas and  
12 Randolph County line.”.

13 (b) STUDY AND REPORT.—Section 5(b) of the Wild  
14 and Scenic Rivers Act (16 U.S.C. 1276(b)) (as amended  
15 by section 205(b)(2)) is amended by adding at the end  
16 the following:

17 “(21) ELK RIVER, WEST VIRGINIA.—Not later  
18 than 3 years after funds are made available to carry  
19 out this paragraph, the Secretary of Agriculture  
20 shall complete the study of the 5-mile segment of the  
21 Elk River, West Virginia, designated for study in  
22 subsection (a), and shall submit to Congress a re-  
23 port containing the results of the study. The report  
24 shall include an analysis of the potential impact of  
25 the designation on private lands within the 5-mile

1 segment of the Elk River, West Virginia, or abutting  
2 that area.”.

3 (c) EFFECT.—

4 (1) EFFECT ON ACCESS FOR RECREATIONAL  
5 ACTIVITIES.—Consistent with section 13 of the Wild  
6 and Scenic Rivers Act (16 U.S.C. 1284), nothing in  
7 the designation made by the amendment in sub-  
8 section (a) shall be construed as affecting access for  
9 recreational activities otherwise allowed by law or  
10 regulation, including hunting, fishing, or trapping.

11 (2) EFFECT ON STATE AUTHORITY.—Con-  
12 sistent with section 13 of the Wild and Scenic Rivers  
13 Act (16 U.S.C. 1284), nothing in the designation  
14 made by the amendment in subsection (a) shall be  
15 construed as affecting the authority, jurisdiction, or  
16 responsibility of the several States to manage, con-  
17 trol, or regulate fish and resident wildlife under  
18 State law or regulations, including the regulation of  
19 hunting, fishing, and trapping.

20 **TITLE LXXI—NATIONAL TRAIL**  
21 **SYSTEM AMENDMENTS**

22 **SEC. 7101. NORTH COUNTRY NATIONAL SCENIC TRAIL**  
23 **ROUTE ADJUSTMENT.**

24 Section 5(a)(8) of the National Trails System Act (16  
25 U.S.C. 1244(a)(8)) is amended in the first sentence—

1 (1) by striking “thirty-two hundred” and insert-  
2 ing “4,600”; and

3 (2) by striking “as ‘Proposed North Country  
4 Trail-Vicinity Map’ in” and all that follows through  
5 the period at the end of the sentence and inserting  
6 “as ‘North Country National Scenic Trail, Author-  
7 ized Route’ dated February 16, 2005, and numbered  
8 649/80,002.”.

9 **DIVISION H—WATER AND HY-**  
10 **DROPOWER AUTHORIZA-**  
11 **TIONS**

12 **TITLE LXXX—BUREAU OF REC-**  
13 **LAMATION PROJECT AU-**  
14 **THORIZATIONS**

15 **SEC. 8001. MAGNA WATER DISTRICT.**

16 (a) IN GENERAL.—The Reclamation Wastewater and  
17 Groundwater Study and Facilities Act (43 U.S.C. 390h  
18 et seq.) is amended by adding at the end the following:

19 **“SEC. 1657. MAGNA WATER DISTRICT WATER REUSE AND**  
20 **GROUNDWATER RECHARGE PROJECT, UTAH.**

21 “(a) AUTHORIZATION.—The Secretary, in coopera-  
22 tion with the Magna Water District, Utah, may partici-  
23 pate in the design, planning, and construction of perma-  
24 nent facilities needed to establish recycled water distribu-  
25 tion and wastewater treatment and reclamation facilities

1 that will be used to provide recycled water in the Magna  
2 Water District.

3 “(b) COST SHARING.—

4 “(1) FEDERAL SHARE.—The Federal share of  
5 the capital cost of the project described in subsection  
6 (a) shall not exceed 25 percent of the total cost of  
7 the project.

8 “(2) NON-FEDERAL SHARE.—Each cost in-  
9 curred by the Magna Water District after January  
10 1, 2003, relating to any capital, planning, design,  
11 permitting, construction, or land acquisition (includ-  
12 ing the value of reallocated water rights) for the  
13 project described in subsection (a) may be credited  
14 towards the non-Federal share of the costs of the  
15 project.

16 “(c) LIMITATION.—Funds provided by the Secretary  
17 shall not be used for operation or maintenance of the  
18 project described in subsection (a).

19 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
20 is authorized to be appropriated to carry out this section  
21 \$12,000,000.”.

22 (b) CONFORMING AMENDMENT.—The table of sec-  
23 tions in section 2 of the Reclamation Projects Authoriza-  
24 tion and Adjustment Act of 1992 (43 U.S.C. prec. 371)

1 is amended by inserting after the item relating to section  
2 1656 the following:

“Sec. 1657. Magna Water District water reuse and groundwater recharge  
project, Utah.”.

3 **SEC. 8002. BAY AREA REGIONAL WATER RECYCLING PRO-**  
4 **GRAM.**

5 (a) PROJECT AUTHORIZATIONS.—

6 (1) IN GENERAL.—The Reclamation Waste-  
7 water and Groundwater Study and Facilities Act (43  
8 U.S.C. 390h et seq.) (as amended by section  
9 8001(a)) is amended by adding at the end the fol-  
10 lowing:

11 **“SEC. 1658. CCCSD-CONCORD RECYCLED WATER PROJECT.**

12 “(a) AUTHORIZATION.—The Secretary, in coopera-  
13 tion with the Central Contra Costa Sanitary District, Cali-  
14 fornia, is authorized to participate in the design, planning,  
15 and construction of recycled water distribution systems.

16 “(b) COST SHARE.—The Federal share of the cost  
17 of the project authorized by this section shall not exceed  
18 25 percent of the total cost of the project.

19 “(c) LIMITATION.—The Secretary shall not provide  
20 funds for the operation and maintenance of the project  
21 authorized by this section.

22 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
23 is authorized to be appropriated to carry out this section  
24 \$1,800,000.

1 **“SEC. 1659. CENTRAL DUBLIN RECYCLED WATER DISTRIBUTION AND RETROFIT PROJECT.**

2  
3       “(a) AUTHORIZATION.—The Secretary, in cooperation with the Dublin San Ramon Services District, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

4  
5  
6  
7       “(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

8  
9  
10       “(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.

11  
12  
13       “(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,150,000.

14  
15  
16 **“SEC. 1660. PETALUMA RECYCLED WATER PROJECT, PHASES 2A, 2B, AND 3.**

17  
18       “(a) AUTHORIZATION.—The Secretary, in cooperation with the City of Petaluma, California, is authorized to participate in the design, planning, and construction of recycled water system facilities.

19  
20  
21  
22       “(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.



1 to participate in the design, planning, and construction of  
2 recycled water system facilities.

3 “(b) COST SHARE.—The Federal share of the cost  
4 of the project authorized by this section shall not exceed  
5 25 percent of the total cost of the project.

6 “(c) LIMITATION.—The Secretary shall not provide  
7 funds for the operation and maintenance of the project  
8 authorized by this section.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
10 is authorized to be appropriated to carry out this section  
11 \$8,250,000.

12 **“SEC. 1663. IRONHOUSE SANITARY DISTRICT (ISD) ANTIOCH**  
13 **RECYCLED WATER PROJECT.**

14 “(a) AUTHORIZATION.—The Secretary, in coopera-  
15 tion with the Ironhouse Sanitary District (ISD), Cali-  
16 fornia, is authorized to participate in the design, planning,  
17 and construction of recycled water distribution systems.

18 “(b) COST SHARE.—The Federal share of the cost  
19 of the project authorized by this section shall not exceed  
20 25 percent of the total cost of the project.

21 “(c) LIMITATION.—The Secretary shall not provide  
22 funds for the operation and maintenance of the project  
23 authorized by this section.



1       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
2 is authorized to be appropriated to carry out this section  
3 \$7,000,000.”.

4           (2) PROJECT IMPLEMENTATION.—In carrying  
5 out sections 1642 through 1648 of the Reclamation  
6 Wastewater and Groundwater Study and Facilities  
7 Act, and the sections added to such Act by para-  
8 graph (1), the Secretary shall enter into individual  
9 agreements with the San Francisco Bay Area Re-  
10 gional Water Recycling implementing agencies to  
11 fund the projects through the Bay Area Clean Water  
12 Agencies (BACWA) or its successor, and may in-  
13 clude in such agreements a provision for the reim-  
14 bursement of construction costs, including those con-  
15 struction costs incurred prior to the enactment of  
16 this Act, subject to appropriations made available  
17 for the Federal share of the project under sections  
18 1642 through 1648 of the Reclamation Wastewater  
19 and Groundwater Study and Facilities Act and the  
20 sections added to such Act by paragraph (1).

21           (3) CLERICAL AMENDMENTS.—The table of  
22 contents of the Reclamation Projects Authorization  
23 and Adjustment Act of 1992 (43 U.S.C. prec. 371)  
24 (as amended by section 8001(b)) is amended by add-  
25 ing at the end the following:

“Sec. 1658. CCCSD-Concord recycled water project.

“Sec. 1659. Central Dublin recycled water distribution and retrofit project.

“Sec. 1660. Petaluma recycled water project, phases 2a, 2b, and 3.

“Sec. 1661. Central Redwood City recycled water project.

“Sec. 1662. Palo Alto recycled water pipeline project.

“Sec. 1663. Ironhouse Sanitary District (ISD) Antioch recycled water project.”.

1 (b) MODIFICATION TO AUTHORIZED PROJECTS.—

2 (1) ANTIOCH RECYCLED WATER PROJECT.—

3 Section 1644(d) of the Reclamation Wastewater and  
4 Groundwater Study and Facilities Act (43 U.S.C.  
5 390h–27) (as amended by section 512(a) of the Con-  
6 solidated Natural Resources Act of 2008) is amend-  
7 ed by striking “\$2,250,000” and inserting  
8 “\$3,125,000”.

9 (2) SOUTH BAY ADVANCED RECYCLED WATER  
10 TREATMENT FACILITY.—Section 1648(d) of the Rec-  
11 lamation Wastewater and Groundwater Study and  
12 Facilities Act (43 U.S.C. 390h–31) (as amended by  
13 section 512(a) of the Consolidated Natural Re-  
14 sources Act of 2008) is amended by striking  
15 “\$8,250,000” and inserting “\$13,250,000”.

16 **SEC. 8003. CALLEGUAS WATER PROJECT.**

17 Section 1631(d) of the Reclamation Wastewater and  
18 Groundwater Study and Facilities Act (43 U.S.C. 390h–  
19 13(d)) is amended—

20 (1) in paragraph (1) by striking “paragraph  
21 (2)” and inserting “paragraphs (2) and (3)”; and

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

1 “(3) In the case of the Calleguas Municipal Water  
2 District Recycling Project authorized by section 1616, the  
3 Federal share of the cost of the Project may not exceed  
4 the sum determined by adding—

5 “(A) the amount that applies to the Project  
6 under paragraph (1); and

7 “(B) \$40,000,000.”

8 **SEC. 8004. HERMISTON, OREGON, WATER RECYCLING AND**  
9 **REUSE PROJECT.**

10 (a) IN GENERAL.—The Reclamation Wastewater and  
11 Groundwater Study and Facilities Act (Public Law 102–  
12 575, title XVI; 43 U.S.C. 390h et seq.) (as amended by  
13 section 8003(a)(1)) is amended by adding at the end the  
14 following:

15 **“SEC. 1664. CITY OF HERMISTON, OREGON, WATER RECY-**  
16 **CLING AND REUSE PROJECT.**

17 “(a) AUTHORIZATION.—The Secretary, in coopera-  
18 tion with the City of Hermiston, Oregon, is authorized to  
19 participate in the design, planning, and construction of  
20 permanent facilities to reclaim and reuse water in the City  
21 of Hermiston, Oregon.

22 “(b) COST SHARE.—The Federal share of the costs  
23 of the project described in subsection (a) shall not exceed  
24 25 percent of the total cost.

1           “(c) LIMITATION.—The Secretary shall not provide  
2 funds for the operation and maintenance of the project  
3 described in subsection (a).”.

4           (b) CLERICAL AMENDMENT.—The table of sections  
5 in section 2 of the Reclamation Projects Authorization and  
6 Adjustment Act of 1992 (43 U.S.C. prec. 371) (as amend-  
7 ed by section 8003(a)(3)) is amended by adding at the  
8 end the following:

          “Sec. 1664. City of Hermiston, Oregon, water recycling and reuse project.”.

9   **SEC. 8005. CENTRAL VALLEY PROJECT WATER TRANSFERS.**

10           (a) AUTHORIZATION OF WATER TRANSFERS, CEN-  
11 TRAL VALLEY PROJECT.—

12           (1) IN GENERAL.—Subject to paragraph (2),  
13 the following voluntary water transfers shall be con-  
14 sidered to meet the conditions described in subpara-  
15 graphs (A) and (I) of section 3405(a)(1) of the Rec-  
16 lamation Projects Authorization and Adjustment Act  
17 of 1992 (Public Law 102–575; 106 Stat. 4709):

18           (A) A transfer of irrigation water among  
19 Central Valley Project contractors from the  
20 Friant, San Felipe, West San Joaquin, and  
21 Delta divisions.

22           (B) A transfer from a long-term Friant  
23 Division water service or repayment contractor  
24 to a temporary or prior temporary water service  
25 contractor within the place of use in existence

1           on the date of the transfer, as identified in the  
2           Bureau of Reclamation water rights permits for  
3           the Friant Division.

4           (2) CONDITION.—A transfer under paragraph  
5           (1) shall comply with all applicable Federal and  
6           State law.

7           (b) FACILITATION OF WATER TRANSFERS, CENTRAL  
8           VALLEY PROJECT.—As soon as practicable after the date  
9           of enactment of this Act, the Secretary of the Interior,  
10          acting through the Director of the United States Fish and  
11          Wildlife Service and the Commissioner of the Bureau of  
12          Reclamation, using such sums as are necessary, shall ini-  
13          tiate and complete, on the most expedited basis prac-  
14          ticable, programmatic documentation to facilitate vol-  
15          untary water transfers within the Central Valley Project,  
16          consistent with all applicable Federal and State law.

17          (c) REPORT ON CENTRAL VALLEY PROJECT WATER  
18          TRANSFERS.—

19                 (1) IN GENERAL.—Not later than 180 days  
20                 after the date of enactment of this Act, the Commis-  
21                 sioner of the Bureau of Reclamation (referred to in  
22                 this subsection as the “Commissioner”) shall submit  
23                 to the appropriate committees of Congress a report  
24                 that—

1 (A) describes the status of efforts to help  
2 facilitate and improve the water transfers under  
3 this section;

4 (B) evaluates potential effects of this Act  
5 on Federal programs, Indian tribes, Central  
6 Valley Project operations, the environment,  
7 groundwater aquifers, refuges, and commu-  
8 nities; and

9 (C) provides recommendations on ways to  
10 facilitate, and improve the process for—

11 (i) water transfers within the Central  
12 Valley Project; and

13 (ii) water transfers between the Cen-  
14 tral Valley Project and other water  
15 projects in the State of California.

16 (2) UPDATES.—Not later than the end of the  
17 water year in which the report is submitted under  
18 paragraph (1) and each of the 4 water years there-  
19 after, the Commissioner shall update the report.

20 **SEC. 8006. LAND WITHDRAWAL AND RESERVATION FOR**  
21 **CRAGIN PROJECT.**

22 (a) DEFINITIONS.—In this section:

23 (1) COVERED LAND.—The term “covered land”  
24 means the parcel of land consisting of approximately

1       512 acres, as generally depicted on the Map, that  
2       consists of—

3               (A) approximately 300 feet of the crest of  
4       the Cragin Dam and associated spillway;

5               (B) the reservoir pool of the Cragin Dam  
6       that consists of approximately 250 acres de-  
7       fined by the high water mark; and

8               (C) the linear corridor.

9       (2) CRAGIN PROJECT.—The term “Cragin  
10      Project” means—

11              (A) the Cragin Dam and associated spill-  
12      way;

13              (B) the reservoir pool of the Cragin Dam;  
14      and

15              (C) any pipelines, linear improvements,  
16      buildings, hydroelectric generating facilities,  
17      priming tanks, transmission, telephone, and  
18      fiber optic lines, pumps, machinery, tools, appli-  
19      ances, and other District or Bureau of Rec-  
20      lamation structures and facilities used for the  
21      Cragin Project.

22       (3) DISTRICT.—The term “District” means the  
23      Salt River Project Agricultural Improvement and  
24      Power District.

1           (4) LAND MANAGEMENT ACTIVITY.—The term  
2           “land management activity” includes, with respect  
3           to the covered land, the management of—

4                   (A) recreation;

5                   (B) grazing;

6                   (C) wildland fire;

7                   (D) public conduct;

8                   (E) commercial activities that are not part  
9           of the Cragin Project;

10                   (F) cultural resources;

11                   (G) invasive species;

12                   (H) timber and hazardous fuels;

13                   (I) travel;

14                   (J) law enforcement; and

15                   (K) roads and trails.

16           (5) LINEAR CORRIDOR.—The term “linear cor-  
17           ridor” means a corridor of land comprising approxi-  
18           mately 262 acres—

19                   (A) the width of which is approximately  
20           200 feet;

21                   (B) the length of which is approximately  
22           11.5 miles;

23                   (C) of which approximately 0.7 miles con-  
24           sists of an underground tunnel; and

25                   (D) that is generally depicted on the Map.



1           (6) MAP.—The term “Map” means sheets 1  
2           and 2 of the maps entitled “C.C. Cragin Project  
3           Withdrawal” and dated June 17, 2008.

4           (7) SECRETARY.—The term “Secretary” means  
5           the Secretary of Agriculture, acting through the  
6           Chief of the Forest Service.

7           (b) WITHDRAWAL OF COVERED LAND.—Subject to  
8           valid existing rights, the covered land is permanently with-  
9           drawn from all forms of—

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

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

14           (3) disposition under all laws pertaining to min-  
15           eral and geothermal leasing or mineral materials.

16           (c) MAP.—

17           (1) IN GENERAL.—As soon as practicable after  
18           the date of enactment of this Act, the Secretary of  
19           the Interior, in coordination with the Secretary, shall  
20           prepare a map and legal description of the covered  
21           land.

22           (2) FORCE AND EFFECT.—The map and legal  
23           description prepared under paragraph (1) shall have  
24           the same force and effect as if included in this sec-

1           tion, except that the Secretary of the Interior may  
2           correct clerical and typographical errors.

3           (3) AVAILABILITY.—The map and legal descrip-  
4           tion prepared under paragraph (1) shall be on file  
5           and available for public inspection in the appropriate  
6           offices of the Forest Service and Bureau of Rec-  
7           lamation.

8           (d) JURISDICTION AND DUTIES.—

9           (1) JURISDICTION OF THE SECRETARY OF THE  
10          INTERIOR.—

11           (A) IN GENERAL.—Except as provided in  
12           subsection (e), the Secretary of the Interior,  
13           acting through the Commissioner of Reclama-  
14           tion, shall have exclusive administrative juris-  
15           diction to manage the Cragin Project in accord-  
16           ance with this section and section 213(i) of the  
17           Arizona Water Settlements Act (Public Law  
18           108–451; 118 Stat. 3533) on the covered land.

19           (B) INCLUSION.—Notwithstanding sub-  
20           section (e), the jurisdiction under subparagraph  
21           (A) shall include access to the Cragin Project  
22           by the District.

23           (2) RESPONSIBILITY OF SECRETARY OF THE  
24          INTERIOR AND DISTRICT.—In accordance with para-  
25          graphs (4)(B) and (5) of section 213(i) of the Ari-

1       zona Water Settlements Act (Public Law 108–451;  
2       118 Stat. 3533), the Secretary of the Interior and  
3       the District shall—

4               (A) ensure the compliance of each activity  
5               carried out at the Cragin Project with each ap-  
6               plicable Federal environmental law (including  
7               regulations); and

8               (B) coordinate with appropriate Federal  
9               agencies in ensuring the compliance under sub-  
10              paragraph (A).

11       (e) LAND MANAGEMENT ACTIVITIES ON COVERED  
12       LAND.—

13              (1) IN GENERAL.—The Secretary shall have ad-  
14              ministrative jurisdiction over land management ac-  
15              tivities on the covered land and other appropriate  
16              management activities pursuant to an agreement  
17              under paragraph (2) that do not conflict with, or ad-  
18              versely affect, the operation, maintenance, or re-  
19              placement (including repair) of the Cragin Project,  
20              as determined by the Secretary of the Interior.

21              (2) INTERAGENCY AGREEMENT.—The Secretary  
22              and the Secretary of the Interior, in coordination  
23              with the District, may enter into an agreement  
24              under which the Secretary may—

1 (A) undertake any other appropriate man-  
2 agement activity in accordance with applicable  
3 law that will improve the management and safe-  
4 ty of the covered land and other land managed  
5 by the Secretary if the activity does not conflict  
6 with, or adversely affect, the operation, mainte-  
7 nance, or replacement (including repair) of the  
8 Cragin Project, as determined by the Secretary  
9 of the Interior; and

10 (B) carry out any emergency activities,  
11 such as fire suppression, on the covered land.

12 **SEC. 8007. LEADVILLE MINE DRAINAGE TUNNEL.**

13 (a) TUNNEL MAINTENANCE; OPERATION AND MAIN-  
14 TENANCE.—Section 703 of the Reclamation Projects Au-  
15 thorization and Adjustment Act of 1992 (Public Law 102-  
16 575; 106 Stat. 4656) is amended to read as follows:

17 **“SEC. 703. TUNNEL MAINTENANCE; OPERATION AND MAIN-  
18 TENANCE.**

19 “(a) LEADVILLE MINE DRAINAGE TUNNEL.—The  
20 Secretary shall take any action necessary to maintain the  
21 structural integrity of the Leadville Mine Drainage Tun-  
22 nel—

23 “(1) to maintain public safety; and

24 “(2) to prevent an uncontrolled release of  
25 water.

1 “(b) WATER TREATMENT PLANT.—

2 “(1) IN GENERAL.—Subject to section 705, the  
3 Secretary shall be responsible for the operation and  
4 maintenance of the water treatment plant authorized  
5 under section 701, including any sludge disposal au-  
6 thorized under this title.

7 “(2) AUTHORITY TO OFFER TO ENTER INTO  
8 CONTRACTS.—In carrying out paragraph (1), the  
9 Secretary may offer to enter into 1 or more con-  
10 tracts with any appropriate individual or entity for  
11 the conduct of any service required under paragraph  
12 (1).”.

13 (b) REIMBURSEMENT.—Section 705 of the Reclama-  
14 tion Projects Authorization and Adjustment Act of 1992  
15 (Public Law 102-575; 106 Stat. 4656) is amended—

16 (1) by striking “The treatment plant” and in-  
17 serting the following:

18 “(a) IN GENERAL.—Except as provided in subsection  
19 (b), the treatment plant”; and

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

21 “(b) EXCEPTION.—The Secretary may—

22 “(1) enter into an agreement with any other en-  
23 tity or government agency to provide funding for an  
24 increase in any operation, maintenance, replacement,  
25 capital improvement, or expansion cost that is nec-

1        essary to improve or expand the treatment plant;  
2        and

3               “(2) upon entering into an agreement under  
4        paragraph (1)—

5                       “(A) make any necessary capital improve-  
6        ment to or expansion of the treatment plant;  
7        and

8                       “(B) treat flows that are conveyed to the  
9        treatment plant, including any—

10                               “(i) surface water diverted into the  
11        Leadville Mine Drainage Tunnel; and

12                               “(ii) water collected by the dewatering  
13        relief well installed in June 2008.”.

14        (c) USE OF LEADVILLE MINE DRAINAGE TUNNEL  
15        AND TREATMENT PLANT.—Section 708(a) of the Rec-  
16        lamation Projects Authorization and Adjustment Act of  
17        1992 (Public Law 102–575; 106 Stat. 4657) is amend-  
18        ed—

19               (1) by striking “(a) The Secretary” and insert-  
20        ing the following:

21        “(a) IN GENERAL.—

22                       “(1) AUTHORIZATION.—The Secretary”;

23               (2) by striking “Neither” and inserting the fol-  
24        lowing:

25                       “(2) LIABILITY.—Neither”;

1           (3) by striking “The Secretary shall have” and  
2           inserting the following:

3           “(3) FACILITIES COVERED UNDER OTHER  
4           LAWS.—

5           “(A) IN GENERAL.—Except as provided in  
6           subparagraph (B), the Secretary shall have”;

7           (4) by inserting after “Recovery Act.” the fol-  
8           lowing:

9           “(B) EXCEPTION.—If the Administrator of  
10           the Environmental Protection Agency proposes  
11           to amend or issue a new Record of Decision for  
12           operable unit 6 of the California Gulch National  
13           Priorities List Site, the Administrator shall  
14           consult with the Secretary with respect to each  
15           feature of the proposed new or amended Record  
16           of Decision that may require any alteration to,  
17           or otherwise affect the operation and mainte-  
18           nance of—

19           “(i) the Leadville Mine Drainage Tun-  
20           nel; or

21           “(ii) the water treatment plant au-  
22           thorized under section 701.

23           “(4) AUTHORITY OF SECRETARY.—The Sec-  
24           retary may implement any improvement to, or new  
25           operation of, the Leadville Mine Drainage Tunnel or

1 water treatment plant authorized under section 701  
2 as a result of a new or amended Record of Decision  
3 only upon entering into an agreement with the Ad-  
4 ministrator of the Environmental Protection Agency  
5 or any other entity or government agency to provide  
6 funding for the improvement or new operation.”;  
7 and

8 (5) by striking “For the purpose of” and insert-  
9 ing the following:

10 “(5) DEFINITION OF UPPER ARKANSAS RIVER  
11 BASIN.—In”.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
13 708(f) of the Reclamation Projects Authorization and Ad-  
14 justment Act of 1992 (Public Law 102-575; 106 Stat.  
15 4657) is amended by striking “sections 707 and 708” and  
16 inserting “this section and sections 703, 705, and 707”.

17 (e) CONFORMING AMENDMENT.—The table of con-  
18 tents of title VII of the Reclamation Projects Authoriza-  
19 tion and Adjustment Act of 1992 (Public Law 102-575;  
20 106 Stat. 4601) is amended by striking the item relating  
21 to section 703 and inserting the following:

“Sec. 703. Tunnel maintenance; operation and maintenance.”.



1 **SEC. 8008. REAUTHORIZATION OF BASE FUNDING FOR FISH**  
2 **RECOVERY PROGRAMS.**

3 Section 3(d)(2) of Public Law 106–392 (114 Stat.  
4 1602) is amended in the fourth sentence by striking  
5 “2011” and inserting “2023”.

6 **TITLE LXXXI—HYDROPOWER**

7 **SEC. 8101. AMERICAN FALLS RESERVOIR HYDRO LICENSE**  
8 **EXTENSION.**

9 Notwithstanding the time period specified in section  
10 13 of the Federal Power Act (16 U.S.C. 806) that would  
11 otherwise apply to the Federal Energy Regulatory Com-  
12 mission project numbered 12423, the Federal Energy  
13 Regulatory Commission shall, at the request of the li-  
14 censee for the project, and after reasonable notice and in  
15 accordance with the procedures of the Commission under  
16 that section, reinstate the license and extend the time pe-  
17 riod during which the licensee is required to commence  
18 the construction of project works to the end of the 3-year  
19 period beginning on the date of enactment of this Act.

20 **SEC. 8102. LITTLE WOOD RIVER RANCH HYDRO LICENSE**  
21 **EXTENSION.**

22 Notwithstanding the time period specified in section  
23 13 of the Federal Power Act (16 U.S.C. 806) that would  
24 otherwise apply to the Federal Energy Regulatory Com-  
25 mission project numbered 12063, the Federal Energy  
26 Regulatory Commission shall, at the request of the li-

1 censee for the project, and after reasonable notice and in  
2 accordance with the procedures of the Commission under  
3 that section—

4 (1) extend the time period during which the li-  
5 censee is required to commence the construction of  
6 project works to the end of the 3-year period begin-  
7 ning on the date of enactment of this Act; or

8 (2) if the license for Project No. 12063 has  
9 been terminated, reinstate the license and extend the  
10 time period during which the licensee is required to  
11 commence the construction of project works to the  
12 end of the 3-year period beginning on the date of en-  
13 actment of this Act.

14 **SEC. 8103. BONNEVILLE UNIT HYDROPOWER.**

15 (a) **DIAMOND FORK SYSTEM DEFINED.**—For the  
16 purposes of this section, the term “Diamond Fork Sys-  
17 tem” means the facilities described in chapter 4 of the  
18 October 2004 Supplement to the 1988 Definite Plan Re-  
19 port for the Bonneville Unit.

20 (b) **COST ALLOCATIONS.**—Notwithstanding any other  
21 provision of law, in order to facilitate hydropower develop-  
22 ment on the Diamond Fork System, the amount of reim-  
23 bursable costs allocated to project power in Chapter 6 of  
24 the Power Appendix in the October 2004 Supplement to  
25 the 1988 Bonneville Unit Definite Plan Report, with re-

1 gard to power development within the Diamond Fork Sys-  
2 tem, shall be considered final costs as well as costs in ex-  
3 cess of the total maximum repayment obligation as defined  
4 in section 211 of the Central Utah Project Completion Act  
5 of 1992 (Public Law 102–575), and shall be subject to  
6 the same terms and conditions.

7 (c) NO PURCHASE OR MARKET OBLIGATION; NO  
8 COSTS ASSIGNED TO POWER.—Nothing in this section  
9 shall obligate the Western Area Power Administration to  
10 purchase or market any of the power produced by the Dia-  
11 mond Fork power plant and none of the costs associated  
12 with development of transmission facilities to transmit  
13 power from the Diamond Fork power plant shall be as-  
14 signed to power for the purpose of Colorado River Storage  
15 Project ratemaking.

16 (d) PROHIBITION ON TAX-EXEMPT FINANCING.—No  
17 facility for the generation or transmission of hydroelectric  
18 power on the Diamond Fork System may be financed or  
19 refinanced, in whole or in part, with proceeds of any obli-  
20 gation—

21 (1) the interest on which is exempt from the  
22 tax imposed under chapter 1 of the Internal Rev-  
23 enue Code of 1986, or

1           (2) with respect to which credit is allowable  
2           under subpart I or J of part IV of subchapter A of  
3           chapter 1 of such Code.

4           (e) REPORTING REQUIREMENT.—If, 24 months after  
5           the date of the enactment of this Act, hydropower produc-  
6           tion on the Diamond Fork System has not commenced,  
7           the Secretary of the Interior shall submit a report to the  
8           Committee on Natural Resources of the House of Rep-  
9           resentatives and the Committee on Energy and Natural  
10          Resources of the Senate stating this fact, the reasons such  
11          production has not yet commenced, and a detailed timeline  
12          for future hydropower production.

13          (f) LIMITATION ON THE USE OF FUNDS.—The au-  
14          thority under the provisions of section 301 of the Hoover  
15          Power Plant Act of 1984 (Public Law 98–381; 42 U.S.C.  
16          16421a) shall not be used to fund any study or construc-  
17          tion of transmission facilities developed as a result of this  
18          section.

19          **SEC. 8104. HOOVER POWER PLANT ALLOCATION.**

20          (a) SCHEDULE A POWER.—Section 105(a)(1)(A) of  
21          the Hoover Power Plant Act of 1984 (43 U.S.C.  
22          619a(a)(1)(A)) is amended—

23                  (1) by striking “renewal”;

24                  (2) by striking “June 1, 1987” and inserting

25          “October 1, 2017”; and

1 (3) by striking Schedule A and inserting the  
 2 following:

“Schedule A

Long-term Schedule A contingent capacity and associated firm energy for offers of contracts to  
 Boulder Canyon project contractors

Contractor	Contingent capacity (kW)	Firm energy (thousands of kWh)		
		Summer	Winter	Total
Metropolitan Water District of Southern California .....	249,948	859,163	368,212	1,227,375
City of Los Angeles Southern California Edison Company ..	495,732	464,108	199,175	663,283
City of Glendale .....	280,245	166,712	71,448	238,160
City of Pasadena .....	18,178	45,028	19,297	64,325
City of Burbank .....	11,108	38,622	16,553	55,175
Arizona Power Authority .....	5,176	14,070	6,030	20,100
Colorado River Commission of Nevada .....	190,869	429,582	184,107	613,689
United States, for Boulder City .....	190,869	429,582	184,107	613,689
Totals .....	20,198	53,200	22,800	76,000
	1,462,323	2,500,067	1,071,729	3,571,796”.

3 (b) SCHEDULE B POWER.—Section 105(a)(1)(B) of  
 4 the Hoover Power Plant Act of 1984 (43 U.S.C.  
 5 619a(a)(1)(B)) is amended to read as follows:

6 “(B) To each existing contractor for power generated  
 7 at Hoover Dam, a contract, for delivery commencing Octo-  
 8 ber 1, 2017, of the amount of contingent capacity and  
 9 firm energy specified for that contractor in the following  
 10 table:

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## “Schedule B

Long-term Schedule B contingent capacity and associated firm energy for offers of contracts to  
Boulder Canyon project contractors

Contractor	Contingent capacity (kW)	Firm energy (thousands of kWh)		
		Summer	Winter	Total
City of Glendale .....	2,020	2,749	1,194	3,943
City of Pasadena .....	9,089	2,399	1,041	3,440
City of Burbank .....	15,149	3,604	1,566	5,170
City of Anaheim .....	40,396	34,442	14,958	49,400
City of Azusa .....	4,039	3,312	1,438	4,750
City of Banning .....	2,020	1,324	576	1,900
City of Colton .....	3,030	2,650	1,150	3,800
City of Riverside .....	30,296	25,831	11,219	37,050
City of Vernon .....	22,218	18,546	8,054	26,600
Arizona .....	189,860	140,600	60,800	201,400
Nevada .....	189,860	273,600	117,800	391,400
Totals .....	507,977	509,057	219,796	728,853”.

1 (c) SCHEDULE C POWER.—Section 105(a)(1)(C) of  
2 the Hoover Power Plant Act of 1984 (43 U.S.C.  
3 619a(a)(1)(C)) is amended—

4 (1) by striking “June 1, 1987” and inserting  
5 “October 1, 2017”; and

6 (2) by striking Schedule C and inserting the  
7 following:

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“Schedule C

Excess Energy

Priority of entitlement to excess energy	State
First: Meeting Arizona’s first priority right to delivery of excess energy which is equal in each year of operation to 200 million kilowatthours: Provided, That in the event excess energy in the amount of 200 million kilowatthours is not generated during any year of operation, Arizona shall accumulate a first right to delivery of excess energy subsequently generated in an amount not to exceed 600 million kilowatthours, inclusive of the current year’s 200 million kilowatthours. Said first right of delivery shall accrue at a rate of 200 million kilowatthours per year for each year excess energy in an amount of 200 million kilowatthours is not generated, less amounts of excess energy delivered. ....	Arizona
Second: Meeting Hoover Dam contractual obligations under Schedule A of subsection (a)(1)(A), under Schedule B of subsection (a)(1)(B), and under Schedule D of subsection (a)(2), not exceeding 26 million kilowatthours in each year of operation. ....	Arizona, Nevada, and California
Third: Meeting the energy requirements of the three States, such available excess energy to be divided equally among the States. ....	Arizona, Nevada, and California”.

1           (d) SCHEDULE D POWER.—Section 105(a) of the  
 2 Hoover Power Plant Act of 1984 (43 U.S.C. 619a(a)) is  
 3 amended—

4           (1) by redesignating paragraphs (2), (3), and  
 5           (4) as paragraphs (3), (4), and (5), respectively; and

6           (2) by inserting after paragraph (1) the fol-  
 7           lowing:

8           “(2)(A) The Secretary of Energy is authorized to and  
 9 shall create from the apportioned allocation of contingent  
 10 capacity and firm energy adjusted from the amounts au-

1 thorized in this Act in 1984 to the amounts shown in  
 2 Schedule A and Schedule B, as modified by the Omnibus  
 3 Public Land Management Act of 2010, a resource pool  
 4 equal to 5 percent of the full rated capacity of 2,074,000  
 5 kilowatts, and associated firm energy, as shown in Sched-  
 6 ule D (referred to in this section as ‘Schedule D contin-  
 7 gent capacity and firm energy’):

“Schedule D

Long-term Schedule D resource pool of contingent capacity and associated firm energy for new allottees

State	Contingent capacity (kW)	Firm energy (thousands of kWh)		
		Summer	Winter	Total
New Entities Allocated by the Secretary of Energy	69,170	105,637	45,376	151,013
New Entities Allocated by State				
Arizona .....	11,510	17,580	7,533	25,113
California .....	11,510	17,580	7,533	25,113
Nevada .....	11,510	17,580	7,533	25,113
Totals .....	103,700	158,377	67,975	226,352

8 “(B) The Secretary of Energy shall offer Schedule  
 9 D contingency capacity and firm energy to entities not re-  
 10 ceiving contingent capacity and firm energy under sub-  
 11 paragraphs (A) and (B) of paragraph (1) (referred to in  
 12 this section as ‘new allottees’) for delivery commencing  
 13 October 1, 2017 pursuant to this subsection. In this sub-  
 14 section, the term ‘the marketing area for the Boulder City  
 15 Area Projects’ shall have the same meaning as in appendix  
 16 A of the General Consolidated Power Marketing Criteria  
 17 or Regulations for Boulder City Area Projects published



1 in the Federal Register on December 28, 1984 (49 Fed-  
2 eral Register 50582 et seq.) (referred to in this section  
3 as the ‘Criteria’).

4 “(C)(i) Within 36 months of the date of enactment  
5 of the Omnibus Public Land Management Act of 2010,  
6 the Secretary of Energy shall allocate through the West-  
7 ern Area Power Administration (referred to in this section  
8 as ‘Western’), for delivery commencing October 1, 2017,  
9 for use in the marketing area for the Boulder City Area  
10 Projects 66.7 percent of the Schedule D contingent capac-  
11 ity and firm energy to new allottees that are located within  
12 the marketing area for the Boulder City Area Projects and  
13 that are—

14 “(I) eligible to enter into contracts under sec-  
15 tion 5 of the Boulder Canyon Project Act (43 U.S.C.  
16 617d); or

17 “(II) federally recognized Indian tribes.

18 “(ii) In the case of Arizona and Nevada, Schedule  
19 D contingent capacity and firm energy for new allottees  
20 other than federally recognized Indian tribes shall be of-  
21 fered through the Arizona Power Authority and the Colo-  
22 rado River Commission of Nevada, respectively. Schedule  
23 D contingent capacity and firm energy allocated to feder-  
24 ally recognized Indian tribes shall be contracted for di-  
25 rectly with Western.

1           “(D) Within 1 year of the date of enactment of the  
2 Omnibus Public Land Management Act of 2010, the Sec-  
3 retary of Energy also shall allocate, for delivery com-  
4 mencing October 1, 2017, for use in the marketing area  
5 for the Boulder City Area Projects 11.1 percent of the  
6 Schedule D contingent capacity and firm energy to each  
7 of—

8           “(i) the Arizona Power Authority for allocation  
9 to new allottees in the State of Arizona;

10           “(ii) the Colorado River Commission of Nevada  
11 for allocation to new allottees in the State of Ne-  
12 vada; and

13           “(iii) Western for allocation to new allottees  
14 within the State of California, provided that Western  
15 shall have 36 months to complete such allocation.

16           “(E) Each contract offered pursuant to this sub-  
17 section shall include a provision requiring the new allottee  
18 to pay a proportionate share of its State’s respective con-  
19 tribution (determined in accordance with each State’s ap-  
20 plicable funding agreement) to the cost of the Lower Colo-  
21 rado River Multi-Species Conservation Program (as de-  
22 fined in section 9401 of the Omnibus Public Land Man-  
23 agement Act of 2009 (Public Law 111–11; 123 Stat.  
24 1327)), and to execute the Boulder Canyon Project Imple-  
25 mentation Agreement Contract No. 95–PAO–10616 (re-

1 ferred to in this section as the ‘Implementation Agree-  
2 ment’).

3 “(F) Any of the 66.7 percent of Schedule D contin-  
4 gent capacity and firm energy that is to be allocated by  
5 Western that is not allocated and placed under contract  
6 by October 1, 2017, shall be returned to those contractors  
7 shown in Schedule A and Schedule B in the same propor-  
8 tion as those contractors’ allocations of Schedule A and  
9 Schedule B contingent capacity and firm energy. Any of  
10 the 33.3 percent of Schedule D contingent capacity and  
11 firm energy that is to be distributed within the States of  
12 Arizona, Nevada, and California that is not allocated and  
13 placed under contract by October 1, 2017, shall be re-  
14 turned to the Schedule A and Schedule B contractors  
15 within the State in which the Schedule D contingent ca-  
16 pacity and firm energy were to be distributed, in the same  
17 proportion as those contractors’ allocations of Schedule A  
18 and Schedule B contingent capacity and firm energy.”.

19 (e) TOTAL OBLIGATIONS.—Paragraph (3) of section  
20 105(a) of the Hoover Power Plant Act of 1984 (43 U.S.C.  
21 619a(a)) (as redesignated as subsection (d)(1)) is amend-  
22 ed—

23 (1) in the first sentence, by striking “schedule  
24 A of section 105(a)(1)(A) and schedule B of section

1       105(a)(1)(B)” and inserting “paragraphs (1)(A),  
2       (1)(B), and (2)”;

3               (2) in the second sentence—

4                       (A) by striking “any” and inserting  
5                       “each”;

6                       (B) by striking “schedule C” and inserting  
7                       “Schedule C”; and

8                       (C) by striking “schedules A and B” and  
9                       inserting “Schedules A, B, and D”.

10       (f) POWER MARKETING CRITERIA.—Paragraph (4)  
11 of section 105(a) of the Hoover Power Plant Act of 1984  
12 (43 U.S.C. 619a(a)) (as redesignated as subsection (d)(1))  
13 is amended to read as follows:

14       “(4) Subdivision E of the Criteria shall be deemed  
15 to have been modified to conform to this section, as modi-  
16 fied by the Omnibus Public Land Management Act of  
17 2010. The Secretary of Energy shall cause to be included  
18 in the Federal Register a notice conforming the text of  
19 the regulations to such modifications.”.

20       (g) CONTRACT TERMS.—Paragraph (5) of section  
21 105(a) of the Hoover Power Plant Act of 1984 (43 U.S.C.  
22 619a(a)) (as redesignated as subsection (d)(1)) is amend-  
23 ed—

24               (1) by striking subparagraph (A) and inserting  
25       the following:

1           “(A) in accordance with section 5(a) of the  
2           Boulder Canyon Project Act (43 U.S.C. 617d(a)),  
3           expire September 30, 2067;”;

4           (2) in the proviso of subparagraph (B)—

5                 (A) by striking “shall use” and inserting  
6                 “shall allocate”; and

7                 (B) by striking “and” after the semicolon  
8                 at the end;

9           (3) in subparagraph (C), by striking the period  
10           at the end and inserting a semicolon; and

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

12                 “(D) authorize and require Western to collect  
13                 from new allottees a pro rata share of Hoover Dam  
14                 repayable advances paid for by contractors prior to  
15                 October 1, 2017, and remit such amounts to the  
16                 contractors that paid such advances in proportion to  
17                 the amounts paid by such contractors as specified in  
18                 section 6.4 of the Implementation Agreement;

19                 “(E) permit transactions with an independent  
20                 system operator; and

21                 “(F) contain the same material terms included  
22                 in section 5.6 of those long-term contracts for pur-  
23                 chases from the Hoover Power Plant that were made  
24                 in accordance with this Act and are in existence on

1 the date of enactment of the Omnibus Public Land  
2 Management Act of 2010.”.

3 (h) EXISTING RIGHTS.—Section 105(b) of the Hoo-  
4 ver Power Plant Act of 1984 (43 U.S.C. 619a(b)) is  
5 amended by striking “2017” and inserting “2067”.

6 (i) OFFERS.—Section 105(c) of the Hoover Power  
7 Plant Act of 1984 (43 U.S.C. 619a(c)) is amended to read  
8 as follows:

9 “(c) OFFER OF CONTRACT TO OTHER ENTITIES.—  
10 If any existing contractor fails to accept an offered con-  
11 tract, the Secretary of Energy shall offer the contingent  
12 capacity and firm energy thus available first to other enti-  
13 ties in the same State listed in Schedule A and Schedule  
14 B, second to other entities listed in Schedule A and Sched-  
15 ule B, third to other entities in the same State which re-  
16 ceive contingent capacity and firm energy under sub-  
17 section (a)(2) of this section, and last to other entities  
18 which receive contingent capacity and firm energy under  
19 subsection (a)(2) of this section.”.

20 (j) AVAILABILITY OF WATER.—Section 105(d) of the  
21 Hoover Power Plant Act of 1984 (43 U.S.C. 619a(d)) is  
22 amended to read as follows:

23 “(d) WATER AVAILABILITY.—Except with respect to  
24 energy purchased at the request of an allottee pursuant  
25 to subsection (a)(3), the obligation of the Secretary of En-

1 ergy to deliver contingent capacity and firm energy pursu-  
2 ant to contracts entered into pursuant to this section shall  
3 be subject to availability of the water needed to produce  
4 such contingent capacity and firm energy. In the event  
5 that water is not available to produce the contingent ca-  
6 pacity and firm energy set forth in Schedule A, Schedule  
7 B, and Schedule D, the Secretary of Energy shall adjust  
8 the contingent capacity and firm energy offered under  
9 those Schedules in the same proportion as those contrac-  
10 tors' allocations of Schedule A, Schedule B, and Schedule  
11 D contingent capacity and firm energy bears to the full  
12 rated contingent capacity and firm energy obligations.”.

13 (k) CONFORMING AMENDMENTS.—Section 105 of the  
14 Hoover Power Plant Act of 1984 (43 U.S.C. 619a) is  
15 amended—

16 (1) by striking subsections (e) and (f); and

17 (2) by redesignating subsections (g), (h), and  
18 (i) as subsections (e), (f), and (g), respectively.

19 (l) CONTINUED CONGRESSIONAL OVERSIGHT.—Sub-  
20 section (e) of section 105 of the Hoover Power Plant Act  
21 of 1984 (43 U.S.C. 619a)) (as redesignated by subsection  
22 (k)(2)) is amended—

23 (1) in the first sentence, by striking “the re-  
24 newal of”; and

1           (2) in the second sentence, by striking “June 1,  
2           1987, and ending September 30, 2017” and insert-  
3           ing “October 1, 2017, and ending September 30,  
4           2067”.

5           (m) COURT CHALLENGES.—Subsection (f)(1) of sec-  
6           tion 105 of the Hoover Power Plant Act of 1984 (43  
7           U.S.C. 619a) (as redesignated by subsection (k)(2)) is  
8           amended in the first sentence by striking “this Act” and  
9           inserting “the Omnibus Public Land Management Act of  
10          2010”.

11          (n) REAFFIRMATION OF CONGRESSIONAL DECLARA-  
12          TION OF PURPOSE.—Subsection (g) of section 105 of the  
13          Hoover Power Plant Act of 1984 (43 U.S.C. 619a) (as  
14          redesignated by subsection (k)(2)) is amended—

15                 (1) by striking “subsections (c), (g), and (h) of  
16                 this section” and inserting “this Act”; and

17                 (2) by striking “June 1, 1987, and ending Sep-  
18                 tember 30, 2017” and inserting “October 1, 2017,  
19                 and ending September 30, 2067”.

## 20       **TITLE LXXXII—MISCELLANEOUS**

### 21       **SEC. 8201. UINTAH WATER CONSERVANCY DISTRICT PRE-** 22       **PAYMENT.**

23           The Secretary of the Interior shall allow for prepay-  
24           ment of the repayment contract no. 6–05–01–00143 be-  
25           tween the United States and the Uintah Water Conser-



1 vancy District dated June 3, 1976, and supplemented and  
2 amended on November 1, 1985, and on December 30,  
3 1992, providing for repayment of municipal and industrial  
4 water delivery facilities for which repayment is provided  
5 pursuant to such contract, under terms and conditions  
6 similar to those used in implementing section 210 of the  
7 Central Utah Project Completion Act (Public Law 102–  
8 575), as amended. The prepayment—

9           (1) shall result in the United States recovering  
10       the net present value of all repayment streams that  
11       would have been payable to the United States if this  
12       section was not in effect;

13           (2) may be provided in several installments to  
14       reflect substantial completion of the delivery facili-  
15       ties being prepaid, and any increase in the repay-  
16       ment obligation resulting from delivery of water in  
17       addition to the water being delivered under this con-  
18       tract as of the date of enactment of this Act;

19           (3) shall be adjusted to conform to a final cost  
20       allocation including costs incurred by the Bureau of  
21       Reclamation, but unallocated as of the date of the  
22       enactment of this Act that are allocable to the water  
23       delivered under this contract;

1           (4) may not be adjusted on the basis of the  
2           type of prepayment financing used by the District;  
3           and

4           (5) shall be made such that total repayment is  
5           made not later than September 30, 2019.

6 **SEC. 8202. TULE RIVER TRIBE WATER DEVELOPMENT.**

7           (a) DEFINITIONS.—In this section:

8           (1) SECRETARY.—The term “Secretary” means  
9           the Secretary of the Interior, acting through the  
10           Commissioner of Reclamation.

11           (2) TRIBE.—The term “Tribe” means the Tule  
12           River Indian Tribe of the Tule River Reservation in  
13           the State of California.

14           (b) STUDY AND REPORT ON ALTERNATIVES.—

15           (1) STUDY.—Not later than 2 years after the  
16           date on which funds are made available under para-  
17           graph (3), the Secretary shall complete a feasibility  
18           study to evaluate alternatives (including alternatives  
19           for phase I reservoir storage of a quantity of water  
20           of not more than 5,000 acre-feet) for the provision  
21           of a domestic, commercial, municipal, industrial, and  
22           irrigation water supply for the Tribe.

23           (2) REPORT.—On completion of the study  
24           under subsection (a), the Secretary shall submit to  
25           the Committee on Natural Resources of the House

1 of Representatives and the Committees on Energy  
2 and Natural Resources and Indian Affairs of the  
3 Senate a report describing the results of the study.

4 (3) AUTHORIZATION OF APPROPRIATIONS.—  
5 There is authorized to be appropriated to the Sec-  
6 retary \$3,000,000 to carry out this subsection.

7 (c) CONDITIONS FOR FUTURE PROJECTS.—

8 (1) IN GENERAL.—No project constructed relat-  
9 ing to the feasibility study under subsection (b) shall  
10 provide any water supply for—

11 (A) the casino of the Tule River Tribe, as  
12 in existence on the date of enactment of this  
13 Act;

14 (B) any expansion of that casino;

15 (C) any other tribal casino; or

16 (D) any current or future lodging, dining,  
17 entertainment, meeting space, parking, or other  
18 similar facility in support of a gaming activity.

19 (2) AVAILABILITY OF WATER SUPPLIES.—A  
20 water supply provided by a project constructed relat-  
21 ing to the feasibility study under subsection (b) shall  
22 be available to serve—

23 (A) the domestic, municipal, and govern-  
24 mental (including firefighting) needs of the  
25 Tribe and members of the Tribe; and

1 (B) other commercial, agricultural, and in-  
2 dustrial needs not related to a gaming activity.

3 **SEC. 8203. INLAND EMPIRE GROUND WATER ASSESSMENT.**

4 (a) IN GENERAL.—Not later than 2 years after funds  
5 are made available to carry out this section, the Secretary  
6 of the Interior, acting through the Director of the United  
7 States Geological Survey, shall complete a study of water  
8 resources in the Rialto-Colton Basin in the State of Cali-  
9 fornia (in this section referred to as the “Basin”), includ-  
10 ing—

11 (1) a survey of ground water resources in the  
12 Basin, including an analysis of—

13 (A) the delineation, either horizontally or  
14 vertically, of the aquifers in the Basin, includ-  
15 ing the quantity of water in the aquifers;

16 (B) the availability of ground water re-  
17 sources for human use;

18 (C) the salinity of ground water resources;

19 (D) the identification of a recent surge in  
20 perchlorate concentrations in ground water,  
21 whether significant sources are being flushed  
22 through the vadose zone, or if perchlorate is  
23 being remobilized;

1           (E) the identification of impacts and  
2           extents of all source areas that contribute to  
3           the regional plume to be fully characterized;

4           (F) the potential of the ground water re-  
5           sources to recharge;

6           (G) the interaction between ground water  
7           and surface water;

8           (H) the susceptibility of the aquifers to  
9           contamination, including identifying the extent  
10          of commingling of plume emanating within sur-  
11          rounding areas in San Bernardino County,  
12          California; and

13          (I) any other relevant criteria; and

14          (2) a characterization of surface and bedrock  
15          geology of the Basin, including the effect of the geol-  
16          ogy on ground water yield and quality.

17          (b) COORDINATION.—The Secretary shall carry out  
18          the study in coordination with the State of California and  
19          any other entities that the Secretary determines to be ap-  
20          propriate, including other Federal agencies and institu-  
21          tions of higher education.

22          (c) REPORT.—Upon completion of the study, the Sec-  
23          retary shall submit to the Committee on Energy and Nat-  
24          ural Resources of the Senate and the Committee on Nat-

1 ural Resources of the House of Representatives a report  
2 that describes the results of the study.

### 3 **DIVISION I—INSULAR AREAS**

#### 4 **SEC. 9001. CONVEYANCE OF CERTAIN SUBMERGED LAND** 5 **TO THE COMMONWEALTH OF THE NORTHERN** 6 **MARIANA ISLANDS.**

7 (a) IN GENERAL.—The first section of Public Law  
8 93–435 (48 U.S.C. 1705) is amended by inserting “the  
9 Commonwealth of the Northern Mariana Islands,” after  
10 “Guam,” each place it appears.

11 (b) REFERENCES TO DATE OF ENACTMENT.—For  
12 the purposes of the amendment made by subsection (a),  
13 each reference in Public Law 93–435 (48 U.S.C. 1705)  
14 to the “date of enactment” shall be considered to be a  
15 reference to the date of the enactment of this Act.

### 16 **DIVISION J—BUDGETARY** 17 **EFFECTS**

#### 18 **SEC. 10001. BUDGETARY EFFECTS.**

19 The budgetary effects of this Act, for the purpose of  
20 complying with the Statutory Pay-As-You-Go-Act of 2010,  
21 shall be determined by reference to the latest statement  
22 titled “Budgetary Effects of PAYGO Legislation” for this  
23 Act, submitted for printing in the Congressional Record  
24 by the Chairman of the Senate Budget Committee, pro-

- 1 vided that such statement has been submitted prior to the
- 2 vote on passage.