

118TH CONGRESS
2D SESSION

S. 4132

To establish the Chuckwalla National Monument and expand Joshua Tree National Park in the State of California, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 16, 2024

Mr. PADILLA (for himself and Ms. BUTLER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Chuckwalla National Monument and expand Joshua Tree National Park in the State of California, 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 “Chuckwalla National
5 Monument Establishment and Joshua Tree National Park
6 Expansion Act of 2024”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

1 (1) the land designated as the Chuckwalla Na-
2 tional Monument by this Act—

3 (A) is an area of national significance and
4 historical and scientific interest requiring pro-
5 tection;

6 (B)(i) is the ancestral homeland of the
7 Iviatim, Kwatsáan, Maara'yam, Nüwü, Pipa
8 Aha Macav, and other Tribal people, including
9 the present-day Cahuilla, Chemehuevi, Mohave,
10 Quechan, and Serrano Indian Tribes;

11 (ii) continues to be regularly accessed and
12 used by the Indian Tribes referred to in clause
13 (i); and

14 (iii) will continue to be used by the Indian
15 Tribes referred to in clause (i) in the future;

16 (C) contains a complex trail system that—

17 (i) was established by Native Ameri-
18 cans for various uses, including spiritual,
19 travel, trade, and communication; and

20 (ii) connects to regions outside of the
21 boundaries of the Monument, including Avi
22 Kwa Ame;

23 (D) includes sacred sites, historic prop-
24 erties, traditional cultural places and land-
25 scapes, sacred items, objects of cultural pat-

1 rimony, human remains, religious sites,
2 geoglyphs, petroglyphs, and pictographs with
3 significant value to the survival and well-being
4 of Tribal people and the knowledge systems of
5 Tribal people;

6 (E) includes plants, wildlife, water sources,
7 and minerals that are connected together as
8 part of a greater cultural landscape;

9 (F) has nationally significant biodiversity,
10 due to the location in the transitional zone
11 where the Sonoran Desert and Mojave Desert
12 come together;

13 (G) is home to a wide variety of topog-
14 raphy and elevation, leading to distinct micro-
15 climates and ecosystems;

16 (H) is largely intact, undeveloped, and ad-
17 jacent to other federally protected areas, such
18 as Joshua Tree National Park, the Indian Pass
19 Wilderness, and the Palen/McCoy Wilderness;

20 (I) is a refuge for over 150 plant species,
21 many of which cannot be found anywhere else,
22 including—

23 (i) Munz’s cholla, the largest endemic
24 cacti in the State, which is located on the
25 Chuckwalla Bench;

1 (ii) the California fan palm, a plant
2 managed and used extensively by Tribal
3 people for thousands of years, which is
4 found in oases at Corn Springs, the Mecca
5 Hills Wilderness, and other locations in
6 which tectonic movements allow ground-
7 water to seep up;

8 (iii) the triple-ribbed milk-vetch, which
9 is listed as endangered under the Endan-
10 gered Species Act of 1973 (16 U.S.C.
11 1531 et seq.); and

12 (iv) other sensitive species, including
13 Emory's crucifixion thorn and Mecca-aster;
14 (J) hosts—

15 (i) some of the most extensive
16 microphyll woodlands (which are small-leaf
17 trees, such as ironwood and palo verde) in
18 the State in places such as Milpitas Wash,
19 a habitat critical to the survival of Tribal
20 people; and

21 (ii) many wildlife species, including
22 the burro deer and migrating birds;
23 (K) offers—

1 (i) core habitat and essential migra-
2 tion pathways for wildlife, including over
3 50 sensitive animal species, including—

4 (I) critical habitat for the
5 Agassiz's desert tortoise, which is list-
6 ed as threatened under the Endan-
7 gered Species Act of 1973 (16 U.S.C.
8 1531 et seq.); and

9 (II) critical habitat for the desert
10 bighorn sheep, which is an iconic spe-
11 cies with declining numbers;

12 (ii) habitat in microphyll woodlands
13 for large numbers of resident and migra-
14 tory birds, which is crucial amid the other-
15 wise major decline in bird numbers re-
16 corded in North America over the 50-year
17 period preceding the date of enactment of
18 this Act; and

19 (iii) former habitat for the endangered
20 Sonoran pronghorn in the Chuckwalla
21 Bench, the site of a multi-year reintroduc-
22 tion effort that is already underway;

23 (L) offers important glimpses into key pe-
24 riods in regional history, such as—

1 (i) the gold seekers who used an exist-
2 ing Indigenous route to establish what is
3 now the Bradshaw Trail in the 1870s; and

4 (ii) the invaluable training of more
5 than 1,000,000 soldiers from across the
6 United States during the period from
7 1942–1944 in which the land was part of
8 the Desert Training Center, which is also
9 known as the “California-Arizona Maneu-
10 ver Area”, including Patton’s Hill, which
11 was used by General Patton for observing
12 training maneuvers;

13 (M) provides outstanding outdoor recre-
14 ation opportunities to local communities and
15 visitors, including hiking, horseback riding, mo-
16 torized vehicle use and mountain biking on des-
17 ignated routes of travel, wildlife viewing, hunt-
18 ing, climbing, rockhounding, picnicking, and
19 camping;

20 (N) offers inexpensive access to public land
21 for disadvantaged communities, including the
22 farming and farm laboring communities of the
23 eastern Coachella Valley and Blythe regions;
24 and

1 (O) is near or adjacent to solar Develop-
2 ment Focus Areas that have some of the best
3 solar energy potential in the world, the develop-
4 ment and operation of which is critical to meet-
5 ing the urgent need of the United States to de-
6 crease greenhouse gas emissions; and

7 (2) the Indian Tribes referred to in paragraph
8 (1)(B)(i) have a longstanding relationship to the
9 land on which the Monument is located, acting as
10 stewards of the land since time immemorial, with ob-
11 ligations to care for the cultural, spiritual, and nat-
12 ural resources provided to those Indian Tribes by
13 the land, including sacred places, plants, wildlife,
14 water sources, and minerals.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) **ADVISORY COUNCIL.**—The term “Advisory
18 Council” means the Chuckwalla National Monument
19 Advisory Council established under section 6(a).

20 (2) **COMMISSION.**—The term “Commission”
21 means the Chuckwalla National Monument Tribal
22 Commission established under section 5(a).

23 (3) **CULTURALLY AFFILIATED INDIAN TRIBE.**—
24 The term “culturally affiliated Indian Tribe” means

1 an Indian Tribe that is determined by the Secretary
2 to have a cultural connection to the Monument.

3 (4) DESERT RENEWABLE ENERGY CONSERVA-
4 TION AREA PLAN.—The term “Desert Renewable
5 Energy Conservation Area Plan” means the Record
6 of Decision for the Desert Renewable Energy Con-
7 servation Plan Land Use Plan Amendment to the
8 California Desert Conservation Area Plan, Bishop
9 Resource Management Plan, and Bakersfield Re-
10 source Management Plan by the Bureau of Land
11 Management, dated September 2016.

12 (5) DEVELOPMENT FOCUS AREA.—The term
13 “Development Focus Area” means a Development
14 Focus Area designated in the Desert Renewable En-
15 ergy Conservation Area Plan/Land Use Plan
16 Amendment to the California Desert Conservation
17 Area Plan, Bishop Resource Management Plan, and
18 Bakersfield Resource Management Plan prepared by
19 the Bureau of Land Management and dated Sep-
20 tember 2016.

21 (6) ELECTRIC UTILITY FACILITY.—

22 (A) IN GENERAL.—The term “electric util-
23 ity facility” means any infrastructure associated
24 with or necessary for the siting, construction, or

1 operation and maintenance of electric trans-
2 mission or distribution lines.

3 (B) INCLUSIONS.—The term “electric util-
4 ity facility” includes an electric substation, a
5 communication facility, a tower, a pole, a line,
6 a ground wire, a communications circuit, and
7 any other similar or related infrastructure.

8 (7) INDIAN TRIBE.—The term “Indian Tribe”
9 means the governing body of any Indian Tribe,
10 band, nation, pueblo, village, community, component
11 band, or component reservation individually identi-
12 fied (including parenthetically) on the most recent
13 list published by the Secretary under section 104(a)
14 of the Federally Recognized Indian Tribe List Act of
15 1994 (25 U.S.C. 5131(a)).

16 (8) MANAGEMENT PLAN.—The term “manage-
17 ment plan” means the management plan for the
18 Monument developed under section 4(c)(17).

19 (9) MAP.—The term “Map” means the map en-
20 titled “Proposed Chuckwalla National Monument
21 and Joshua Tree National Park Expansion” and
22 dated March 14, 2024.

23 (10) MONUMENT.—The term “Monument”
24 means the Chuckwalla National Monument estab-
25 lished by section 4(a).

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

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

5 **SEC. 4. DESIGNATION OF CHUCKWALLA NATIONAL MONU-**
6 **MENT.**

7 (a) ESTABLISHMENT.—Subject to valid existing
8 rights, there is established the Chuckwalla National Monu-
9 ment in the State, consisting of approximately 621,000
10 acres of Federal land administered by the Bureau of Land
11 Management, as generally depicted on the Map.

12 (b) PURPOSE.—The purpose of the Monument is to
13 conserve, protect, and enhance for the benefit and enjoy-
14 ment of present and future generations, through coopera-
15 tive and collaborative management with culturally affili-
16 ated Indian Tribes, the ecological, scenic, wildlife, rec-
17 reational, cultural, historical, natural, educational, and
18 scientific resources of the Monument.

19 (c) MANAGEMENT.—

20 (1) IN GENERAL.—The Secretary—

21 (A) shall manage the Monument—

22 (i) in a manner that conserves, pro-
23 tects, and enhances the resources of the
24 Monument;

25 (ii) in accordance with—

1 (I) the Federal Land Policy and
2 Management Act of 1976 (43 U.S.C.
3 1701 et seq.);

4 (II) this section; and

5 (III) any other applicable law (in-
6 cluding regulations);

7 (iii) in cooperation and collaboration
8 with culturally affiliated Indian Tribes;
9 and

10 (iv) as a component of the National
11 Landscape Conservation System; and

12 (B) shall only allow uses of the Monument
13 that—

14 (i) are described in or otherwise con-
15 sistent with this section; or

16 (ii) in the determination of the Sec-
17 retary, would further the purpose described
18 in subsection (b).

19 (2) AGREEMENTS AND PARTNERSHIPS.—To the
20 maximum extent practicable and in accordance with
21 applicable laws, on request of a culturally affiliated
22 Indian Tribe, the Secretary shall enter into agree-
23 ments, contracts, and other cooperative and collabo-
24 rative partnerships with the culturally affiliated In-
25 dian Tribe with respect to management of the

1 Monument under relevant Federal authority, includ-
2 ing—

3 (A) the Indian Self-Determination and
4 Education Assistance Act (25 U.S.C. 5301 et
5 seq.);

6 (B) the Federal Land Policy and Manage-
7 ment Act of 1976 (43 U.S.C. 1701 et seq.);

8 (C) Executive Order 13175 (25 U.S.C.
9 5301 note; relating to consultation and coordi-
10 nation with Indian Tribal governments);

11 (D) Secretarial Order 3342, issued by the
12 Secretary on October 21, 2016 (relating to
13 identifying opportunities for cooperative and
14 collaborative partnerships with Federally recog-
15 nized Indian Tribes in the management of Fed-
16 eral lands and resources); and

17 (E) Joint Secretarial Order 3403, issued
18 by the Secretary and the Secretary of Agri-
19 culture on November 15, 2021 (relating to ful-
20 filling the trust responsibility to Indian Tribes
21 in the stewardship of Federal lands and
22 waters).

23 (3) NATIVE AMERICAN ACCESS AND USE.—

24 (A) ACCESS.—The Secretary shall ensure
25 access to the Monument by members of a cul-

1 turally affiliated Indian Tribe for traditional
2 cultural purposes and activities.

3 (B) TEMPORARY CLOSURE.—In carrying
4 out this paragraph, the Secretary, on the re-
5 quest of a culturally affiliated Indian Tribe,
6 may temporarily close to the general public use
7 of 1 or more specific portions of the Monument
8 to protect the privacy of traditional cultural ac-
9 tivities in the temporarily closed portion by
10 members of the culturally affiliated Indian
11 Tribe.

12 (C) APPLICABLE LAW.—The access and
13 use by members of a culturally affiliated Indian
14 Tribe under this paragraph shall be consistent
15 with the purpose and intent of Public Law 95-
16 341 (commonly known as the “American Indian
17 Religious Freedom Act”) (42 U.S.C. 1996 et
18 seq.).

19 (4) RECREATION.—The Secretary shall con-
20 tinue to authorize and enhance recreation in the
21 Monument, including camping, hiking, backpacking,
22 sightseeing, nature study, horseback riding, hunting,
23 hang gliding, climbing, mountain biking and motor-
24 ized recreation on authorized routes, and the non-
25 commercial collecting of rocks, minerals, and semi-

1 precious gemstones, if the recreational use is con-
2 sistent with—

3 (A) the purpose described in subsection

4 (b);

5 (B) this section;

6 (C) other applicable law (including regula-
7 tions);

8 (D) applicable management plans; and

9 (E) input from the Commission regarding
10 potential impacts to culturally sensitive sites
11 and resources.

12 (5) **MOTORIZED VEHICLES.**—

13 (A) **IN GENERAL.**—Except as provided in
14 subparagraph (B), the use of motorized vehicles
15 within the Monument shall be permitted only on
16 routes designated for the use of motorized vehi-
17 cles by the transportation management plan
18 prepared under paragraph (17)(D).

19 (B) **EXCEPTIONS.**—Notwithstanding sub-
20 paragraph (A), the use of motorized vehicles
21 within the Monument may be permitted if the
22 use is necessary—

23 (i) for administrative purposes; and

24 (ii) for constructing or servicing, con-
25 sistent with paragraphs (1) and (7)—

1 (I) electric utility facilities (in-
2 cluding electric transmission facilities
3 and electric distribution facilities); or

4 (II) renewable energy projects
5 near or adjacent to the Monument; or
6 (iii) to respond to an emergency.

7 (C) INTERIM MANAGEMENT.—

8 (i) IN GENERAL.—Except as provided
9 in clause (ii), until the date on which the
10 transportation management plan required
11 under paragraph (17)(D) is completed, the
12 use of motorized vehicles in the Monument
13 shall be permitted only on—

14 (I) the routes that are legally
15 designated for such use on the date of
16 enactment of this Act; and

17 (II) any routes necessary for a
18 purpose described in subparagraph
19 (B), including the purposes described
20 in clause (ii) of that subparagraph,
21 subject to the requirements of that
22 subparagraph.

23 (ii) LIMITATION.—Nothing in clause
24 (i) prevents the Secretary from closing

1 roads, trails, or areas to motorized vehi-
2 cles—

3 (I) to protect natural or cultural
4 resources; or

5 (II) for public safety.

6 (6) GRAZING.—The Secretary shall not estab-
7 lish any new allotments for livestock grazing that in-
8 clude any Monument land (whether leased or not
9 leased for grazing on the date of enactment of this
10 Act).

11 (7) EXISTING EASEMENTS AND RIGHTS-OF-
12 WAY.—

13 (A) EFFECT.—Nothing in this Act pre-
14 cludes the renewal, assignment, or enlargement
15 of, or interferes with the operation, mainte-
16 nance, replacement, modification, upgrade, or
17 access to, existing—

18 (i) flood control facilities, electric util-
19 ity facilities (including electric trans-
20 mission facilities and electric distribution
21 facilities), pipeline facilities, and tele-
22 communications facilities within the Monu-
23 ment;

24 (ii) roads or highway corridors within
25 the Monument;

1 (iii) seismic monitoring facilities with-
2 in the Monument; or

3 (iv) other water infrastructure, includ-
4 ing wildlife water developments or water
5 district facilities, within or adjacent to an
6 existing authorization boundary of the
7 Monument.

8 (B) EXPANSION OF EXISTING FACILITIES;
9 NEW FACILITIES.—To the extent consistent
10 with the proper care and management of ob-
11 jects of historical and scientific interest at the
12 Monument and subject to the authorities of the
13 Secretary and other applicable law—

14 (i) existing flood control facilities,
15 electric utility facilities (including electric
16 transmission facilities and electric distribu-
17 tion facilities), pipeline facilities, tele-
18 communications facilities, and seismic
19 monitoring facilities and other water infra-
20 structure, including wildlife water develop-
21 ments or water district facilities, may be
22 expanded within the Monument; and

23 (ii) new flood control facilities, electric
24 utility facilities (including electric trans-
25 mission facilities and electric distribution

1 facilities), pipeline facilities, and tele-
2 communications facilities are permitted
3 within the Monument.

4 (8) ACQUISITION OF VALID EXISTING
5 RIGHTS.—The Secretary may acquire through ex-
6 change, donation, or purchase from a willing seller
7 valid mining claims or other valid existing rights
8 within the Monument that the Secretary determines,
9 after consultation with the Commission or a cul-
10 turally affiliated Indian Tribe, threatens cultural re-
11 sources within the Monument.

12 (9) WITHDRAWAL.—Subject to valid existing
13 rights, all Federal land located in the Monument is
14 withdrawn from—

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

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

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

21 (10) ADJACENT MANAGEMENT.—

22 (A) IN GENERAL.—Nothing in this Act
23 creates a protective perimeter or buffer zone
24 around the Monument.

1 (B) ACTIVITIES OUTSIDE THE MONU-
2 MENT.—

3 (i) IN GENERAL.—The fact that an
4 activity or use on land outside the Monu-
5 ment can be seen or heard within the
6 Monument shall not preclude the activity
7 or use outside the boundary of the Monu-
8 ment.

9 (ii) DEVELOPMENT FOCUS AREAS.—
10 The development and operation of renew-
11 able energy facilities, related energy stor-
12 age facilities, and associated infrastruc-
13 ture, including electric utility facilities (in-
14 cluding electric transmission facilities and
15 electric distribution facilities), in Develop-
16 ment Focus Areas near or adjacent to the
17 Monument shall not be affected by the es-
18 tablishment or management of the Monu-
19 ment.

20 (C) SAVINGS PROVISION.—Nothing in this
21 section affects renewable energy development
22 (including related energy storage or electric
23 utility facilities, including electric transmission
24 facilities and electric distribution facilities) on
25 any land near or adjacent to the Monument.

1 (11) MILITARY ACTIVITIES.—Nothing in this
2 Act precludes—

3 (A) low-level overflights of military aircraft
4 over the Monument;

5 (B) the landing and takeoff of military air-
6 craft in designated landing zones in accordance
7 with all aviation safety regulations;

8 (C) the designation of new units of special
9 airspace over the Monument;

10 (D) the use or establishment of military
11 flight training routes over the Monument; or

12 (E) the use of Federal land within the
13 Monument for off-road or off-trail training pur-
14 suant to agreements between the Secretary and
15 the Secretary of Defense.

16 (12) TREATY RIGHTS.—Nothing in this Act al-
17 ters, modifies, enlarges, diminishes, or abrogates the
18 treaty rights of any Indian Tribe, including off-res-
19 ervation reserved rights.

20 (13) JURISDICTION OVER FISH AND WILD-
21 LIFE.—

22 (A) IN GENERAL.—Nothing in this section
23 diminishes the jurisdiction of the State with re-
24 spect to fish and wildlife management, includ-

1 ing the regulation of fishing and hunting within
2 the Monument.

3 (B) LIMITATIONS.—

4 (i) REGULATIONS.—Subject to clause
5 (ii), the Secretary may designate by regu-
6 lation areas in which, and establish periods
7 during which, for reasons of public safety,
8 administration, or compliance with applica-
9 ble laws, no hunting, fishing, or trapping
10 will be permitted in the Monument.

11 (ii) CONSULTATION.—Except in emer-
12 gencies, the Secretary shall consult with
13 the appropriate State agency before pro-
14 mulgating regulations under clause (i) that
15 close a portion of the Monument to hunt-
16 ing, fishing, or trapping.

17 (C) FISH AND WILDLIFE MANAGEMENT
18 ACTIVITIES.—Management activities (including
19 the use of motorized vehicles by appropriate
20 State agencies, subject to applicable laws (in-
21 cluding regulations)) to maintain, enhance, or
22 restore fish and wildlife populations and the
23 habitats to support fish and wildlife populations
24 may be carried out within the Monument.

1 (14) WILDLIFE WATER DEVELOPMENT
2 PROJECTS.—In accordance with applicable law (in-
3 cluding regulations), the Secretary may authorize
4 structures and facilities, including maintenance of
5 existing structures and facilities, for wildlife water
6 development projects, including guzzlers, in the
7 Monument, if—

8 (A) the structures and facilities are nec-
9 essary to fulfill the purpose described in sub-
10 section (b);

11 (B) the structures and facilities would, as
12 determined by the Secretary, promote healthy,
13 viable, and more naturally distributed wildlife
14 populations; and

15 (C) the visual impacts of the structures
16 and facilities on the Monument can reasonably
17 be minimized.

18 (15) MAP; LEGAL DESCRIPTION.—

19 (A) IN GENERAL.—As soon as practicable
20 after the date of enactment of this Act, the Sec-
21 retary shall submit to the Committee on Energy
22 and Natural Resources of the Senate and the
23 Committee on Natural Resources of the House
24 of Representatives a map and legal description
25 of the Monument.

1 (B) CORRECTIONS.—The map and legal
2 description submitted under subparagraph (A)
3 shall have the same force and effect as if in-
4 cluded in this Act, except that the Secretary
5 may correct any clerical or typographical errors
6 in the legal description and the map, including
7 to ensure that there is no overlap between the
8 Monument and Development Focus Areas.

9 (C) CONFLICT BETWEEN MAP AND LEGAL
10 DESCRIPTION.—In the case of a conflict be-
11 tween the map and the legal description sub-
12 mitted under subparagraph (A), the map shall
13 control.

14 (D) AVAILABILITY OF MAP AND LEGAL DE-
15 SCRIPTION.—Copies of the map and legal de-
16 scription submitted under subparagraph (A)
17 shall be on file and available for public inspec-
18 tion in the appropriate offices of the Bureau of
19 Land Management.

20 (16) NEW RIGHTS-OF-WAY.—Nothing in this
21 Act prevents the Secretary from approving new
22 rights-of-way within the Monument that the Sec-
23 retary determines, in consultation with applicable
24 State and local agencies and culturally affiliated In-
25 dian Tribes, are consistent with—

- 1 (A) this Act;
- 2 (B) applicable laws (including regulations);
- 3 (C) the Desert Renewable Energy Con-
- 4 servation Area Plan;
- 5 (D) the purpose described in subsection
- 6 (b);
- 7 (E) the management plan; and
- 8 (F) the care and proper management of
- 9 objects of historical and scientific interest with-
- 10 in the Monument.

11 (17) MANAGEMENT PLAN.—

12 (A) IN GENERAL.—Not later than 3 years

13 after the date of enactment of this Act, the Sec-

14 retary shall develop a comprehensive plan for

15 the long-term management of the Monument.

16 (B) CONSULTATION REQUIRED.—The Sec-

17 retary shall—

18 (i) in developing the management

19 plan, consult with—

20 (I) culturally affiliated Indian

21 Tribes;

22 (II) appropriate State and local

23 governmental entities;

24 (III) the Advisory Council;

25 (IV) members of the public; and

1 (V) affected renewable energy de-
2 velopers and local electric utility com-
3 panies; and

4 (ii) in making management decisions
5 relating to the Monument, consult with
6 culturally affiliated Indian Tribes.

7 (C) REQUIREMENTS.—The management
8 plan—

9 (i) shall—

10 (I) assess opportunities to im-
11 prove recreational opportunities with-
12 in, and access to, the Monument in a
13 manner that—

14 (aa) conserves, protects, and
15 enhances resources of the Monu-
16 ment resources; and

17 (bb) furthers the purpose
18 described in subsection (b);

19 (II) incorporate traditional eco-
20 logical knowledge; and

21 (III) identify opportunities to in-
22 terpret Monument resources for mem-
23 bers of the public; and

24 (ii) shall not—

1 (I) impact renewable energy
2 projects in Development Focus Areas
3 near or adjacent to the Monument; or
4 (II) interfere with the develop-
5 ment of renewable energy (including
6 related energy storage facilities or
7 electric utility facilities, including elec-
8 tric transmission facilities and electric
9 distribution facilities) or colocated
10 telecommunications facilities on land
11 near or adjacent to the Monument.

12 (D) TRANSPORTATION MANAGEMENT
13 PLAN.—For the purposes of protecting and re-
14 storing objects of historical and scientific inter-
15 est within the Monument, as part of the man-
16 agement plan, the Secretary shall include a
17 transportation plan that—

18 (i) designates the routes and trails on
19 which motorized vehicle use and non-
20 motorized mechanized vehicle use will be
21 allowed within the Monument;

22 (ii) provides that—

23 (I) except as provided in sub-
24 clause (II) or for emergency or au-
25 thorized administrative purposes, in-

1 including appropriate wildlife manage-
2 ment, motorized vehicle use in the
3 Monument shall be permitted only on
4 routes and trails existing as of the
5 date of enactment of this Act;

6 (II) notwithstanding subclause
7 (I), the Secretary may designate addi-
8 tional routes or trails for motorized
9 vehicle use in the Monument after the
10 date of enactment of this Act for the
11 purposes of public safety needs, access
12 to existing or new electric utility fa-
13 cilities or infrastructure, or protection
14 of objects of historical and scientific
15 interest within the Monument; and

16 (III) the Secretary shall monitor
17 motorized and non-motorized vehicle
18 use and designated roads and trails to
19 ensure proper care and management
20 of objects of historical and scientific
21 interest within the Monument.

22 (E) INCORPORATION OF PLANS.—In devel-
23 oping the management plan, to the extent con-
24 sistent with this section, the Secretary may in-

1 corporate any provision of an applicable land
2 and resource management plan.

3 (F) EFFECT.—If there is a conflict be-
4 tween this section and the Desert Renewable
5 Energy Conservation Area Plan, the more re-
6 strictive provision shall control.

7 (18) WILDFIRE.—In accordance with this Act
8 and applicable law (including regulations), the Sec-
9 retary may take any measures within the Monument
10 that the Secretary determines to be necessary to
11 control fire, insects, and diseases, including, as the
12 Secretary determines to be appropriate, the coordi-
13 nation of the activities with a State or local agency.

14 (19) INCORPORATION OF ACQUIRED LAND AND
15 INTERESTS.—Any land or interest in land within the
16 boundary of the Monument that is acquired by the
17 United States after the date of enactment of this
18 Act shall—

19 (A) become part of the Monument;

20 (B) be withdrawn in accordance with para-
21 graph (9); and

22 (C) be managed in accordance with—

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

- 1 (ii) this section; and
2 (iii) any other applicable law (includ-
3 ing regulations).

4 **SEC. 5. CHUCKWALLA NATIONAL MONUMENT TRIBAL COM-**
5 **MISSION.**

6 (a) **ESTABLISHMENT.**—Not later than 180 days after
7 the date of enactment of this Act, the Secretary shall es-
8 tablish a commission, to be known as the “Chuckwalla Na-
9 tional Monument Tribal Commission”.

10 (b) **MEMBERSHIP.**—

11 (1) **MAKEUP.**—The Commission shall include a
12 representative from each culturally affiliated Indian
13 Tribe.

14 (2) **PROCESS.**—The Secretary shall conduct
15 government-to-government consultation with each
16 culturally affiliated Indian Tribe to determine the
17 membership of the Commission.

18 (c) **DUTIES.**—

19 (1) **DUTIES OF THE COMMISSION.**—The Com-
20 mission shall inform, and provide input to, the devel-
21 opment and implementation of the management
22 plan.

23 (2) **DUTIES OF THE SECRETARY.**—The Sec-
24 retary shall—

25 (A) consult with the Commission on—

1 (i) the development of the manage-
2 ment plan; and

3 (ii) providing guidance and rec-
4 ommendations to the Secretary on manage-
5 ment decisions relating to the Monument;

6 (B) ensure that the management plan sets
7 forth parameters for the continued meaningful
8 engagement by the Commission in the imple-
9 mentation of the management plan; and

10 (C) incorporate into the management
11 plan—

12 (i) the traditional and historical
13 knowledge and special expertise of the
14 Commission;

15 (ii) public education and interpreta-
16 tion for traditional place names and the
17 cultural significance of land within the
18 Monument, as the Secretary and the Com-
19 mission determine to be appropriate; and

20 (iii) address funding, capacity build-
21 ing, and infrastructure for culturally affili-
22 ated Indian Tribes.

23 (d) PROCEDURES.—The Commission shall establish
24 any rules and procedures for the Commission that the
25 Commission determines to be necessary.

1 **SEC. 6. CHUCKWALLA NATIONAL MONUMENT ADVISORY**
2 **COUNCIL.**

3 (a) ESTABLISHMENT.—Not later than 180 days after
4 the date of enactment of this Act, the Secretary shall es-
5 tablish an advisory council, to be known as the
6 “Chuckwalla National Monument Advisory Council”.

7 (b) DUTIES.—The Advisory Council shall advise the
8 Secretary with respect to the development of the manage-
9 ment plan.

10 (c) APPLICABLE LAW.—The Advisory Council shall
11 be subject to—

12 (1) chapter 10 of title 5, United States Code
13 (commonly known as the “Federal Advisory Com-
14 mittee Act”);

15 (2) the Federal Land Policy and Management
16 Act of 1976 (43 U.S.C. 1701 et seq.); and

17 (3) any other applicable laws.

18 (d) MEMBERSHIP.—The Advisory Council shall con-
19 sist of 19 members, to be appointed by the Secretary, of
20 whom, to the extent practicable—

21 (1) 1 member shall be appointed after consid-
22 ering the recommendations of the Riverside County
23 Board of Supervisors;

24 (2) 1 member shall be appointed after consid-
25 ering the recommendations of the Imperial County
26 Board of Supervisors;

1 (3) 1 member shall be appointed after consid-
2 ering the recommendations of the Secretary for Nat-
3 ural Resources of the State;

4 (4) 1 member shall be appointed to represent
5 the Department of Defense; and

6 (5) 8 members shall—

7 (A) reside in, or within reasonable prox-
8 imity to, Riverside or Imperial County in the
9 State; and

10 (B) have backgrounds that reflect—

11 (i) the purpose described in section
12 4(b); and

13 (ii) the interests of persons affected
14 by the planning and management of the
15 Monument, including representatives of—

16 (I) the renewable energy indus-
17 try;

18 (II) electric utilities;

19 (III) private land owners;

20 (IV) nongovernmental organiza-
21 tions managing land for conservation
22 purposes; and

23 (V) environmental, recreational,
24 tourism, or other non-Federal land in-
25 terests.

1 (e) REPRESENTATION.—The Secretary shall ensure
2 that the membership of the Advisory Council is fairly bal-
3 anced in terms of—

4 (1) the points of view represented by the Advi-
5 sory Council; and

6 (2) the functions to be performed by the Advi-
7 sory Council.

8 (f) TERMS.—

9 (1) STAGGERED TERMS.—A member of the Ad-
10 visory Council shall be appointed for a term of 3
11 years, except that, of the members first appointed—

12 (A) 5 shall be appointed for a term of 1
13 year; and

14 (B) 5 shall be appointed for a term of 2
15 years.

16 (2) REAPPOINTMENT.—A member may be re-
17 appointed to serve on the Advisory Council on the
18 expiration of the term of the member.

19 (3) VACANCY.—A vacancy on the Advisory
20 Council shall be filled in the same manner in which
21 the original appointment was made.

22 (g) QUORUM.—

23 (1) IN GENERAL.—8 members of the Advisory
24 Council shall constitute a quorum.

1 (2) NO EFFECT ON OPERATIONS.—The oper-
 2 ations of the Advisory Council shall not be impaired
 3 by the fact that a member has not yet been ap-
 4 pointed if a quorum has been attained under para-
 5 graph (1).

6 (h) CHAIRPERSON AND PROCEDURES.—The Advisory
 7 Council shall—

8 (1) elect a chairperson from among the mem-
 9 bers of the Advisory Council; and

10 (2) establish any rules and procedures for the
 11 Advisory Council that the Advisory Council deter-
 12 mines to be necessary.

13 (i) NO COMPENSATION.—A member of the Advisory
 14 Council shall serve without pay.

15 (j) TERMINATION.—The Advisory Council shall ter-
 16 minate on—

17 (1) the date on which the management plan is
 18 officially adopted by the Secretary; or

19 (2) such later date as the Secretary determines
 20 to be appropriate.

21 **SEC. 7. ETHNOGRAPHIC STUDY AND CULTURAL RE-**
 22 **SOURCES SURVEY.**

23 (a) IN GENERAL.—Not later than 180 days after the
 24 date of enactment of this Act, the Secretary—

1 (1) after consultation with the culturally affili-
2 ated Indian Tribes, shall conduct, or enter into a
3 contract with a third party to conduct, an ethno-
4 graphic study of land within the Monument and
5 public land adjacent to the Monument that is not
6 within a Development Focus Area to assess the im-
7 portance of the land studied to the culturally affili-
8 ated Indian Tribes and the religious, spiritual, and
9 cultural practices of the culturally affiliated Indian
10 Tribes; and

11 (2) after consultation with the culturally affili-
12 ated Indian Tribes and a review of any applicable
13 data, studies, and reports in the possession of the
14 culturally affiliated Indian Tribes, shall conduct, or
15 enter into a contract with a third party to conduct,
16 a cultural resources survey of the land within the
17 Monument and public land adjacent to the Monu-
18 ment that is not within a Development Focus Area
19 to identify specific sites that contain cultural, reli-
20 gious, spiritual, and archaeological resources of im-
21 portance to the culturally affiliated Indian Tribes.

22 (b) PARTICIPATION OF CULTURALLY AFFILIATED IN-
23 DIAN TRIBES.—In conducting an ethnographic study or
24 cultural resources survey under subsection (a), the Sec-
25 retary shall coordinate with, and provide for the participa-

1 tion of, each culturally affiliated Indian Tribe, including
2 through the conduct of interviews with members of each
3 culturally affiliated Indian Tribe.

4 (c) APPLICABLE LAW.—The Native American Graves
5 Protection and Repatriation Act (25 U.S.C. 3001 et seq.)
6 shall apply to burial sites identified under subsection (a).

7 (d) SUBMISSION OF RESULTS TO CULTURALLY AF-
8 FILLATED INDIAN TRIBES.—Not later than 1 year after
9 the date on which the ethnographic study and the cultural
10 resources survey are completed under subsection (a), the
11 Secretary shall submit to culturally affiliated Indian
12 Tribes the results of the ethnographic study and the cul-
13 tural resources survey for review and comment.

14 (e) REPORT.—Not later than 2 years after the date
15 on which the ethnographic study and the cultural re-
16 sources survey are completed under subsection (a), the
17 Secretary shall submit to the appropriate committees of
18 Congress a report describing the results of the ethno-
19 graphic study and the cultural resources survey completed
20 under that subsection.

21 (f) PUBLIC AVAILABILITY OF INFORMATION.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), information relating to the nature and
24 specific location of a cultural resource located on
25 land adjacent to the Monument that is obtained

1 from an ethnographic study or cultural resources
2 survey conducted under subsection (a) shall be ex-
3 empt from disclosure under section 552 of title 5,
4 United States Code (commonly known as the “Free-
5 dom of Information Act”) and any other applicable
6 law.

7 (2) EXCEPTION.—Notwithstanding paragraph
8 (1), the Secretary, in consultation with the culturally
9 affiliated Indian Tribes, may disclose information
10 described in that paragraph if the Secretary deter-
11 mines that the disclosure—

12 (A) would—

13 (i) further the protection of the cul-
14 tural resource; and

15 (ii) be in accordance with other appli-
16 cable laws; and

17 (B) would not create a risk of harm to, or
18 theft or destruction of, the cultural resource or
19 the site at which the cultural resource is lo-
20 cated.

21 (g) SAVINGS PROVISION.—Nothing in this section, in-
22 cluding the ethnographic study or the cultural resources
23 survey conducted under subsection (a), affects—

24 (1) the development of renewable energy
25 projects in a Development Focus Area;

1 (2) any requirements for that development that
2 may be imposed based on the findings of any study
3 required under other law prior to that development;

4 (3) existing requirements for that development
5 under section 306108 of title 54, United States
6 Code (formerly section 106 of the National Historic
7 Preservation Act (16 U.S.C. 470f)) or any other ap-
8 plicable law; or

9 (4) any existing responsibility of the Bureau of
10 Land Management or any renewable energy com-
11 pany to conduct ethnographic studies prior to devel-
12 opment in a Development Focus Area.

13 **SEC. 8. EXPANSION OF JOSHUA TREE NATIONAL PARK.**

14 Section 402 of the California Desert Protection Act
15 of 1994 (16 U.S.C. 410aaa–22) is amended, in the first
16 sentence, by inserting after “October 1991 or prior,” the
17 following: “and including the approximately 17,842 acres
18 of land depicted on the map entitled ‘Proposed Chuckwalla
19 National Monument and Joshua Tree National Park Ex-
20 pansion’ and dated March 14, 2024,”.

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