

119TH CONGRESS
2D SESSION

S. 4200

To promote conservation, improve public land, and provide for sensible development in Douglas County, Nevada, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2026

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To promote conservation, improve public land, and provide for sensible development in Douglas County, Nevada, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Douglas County Economic Development and Conserva-
6 tion Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Purpose.
- Sec. 3. Definitions.

TITLE I—LAND CONVEYANCES

- Sec. 101. Conveyance to State of Nevada.
- Sec. 102. Conveyance to Douglas County, Nevada.
- Sec. 103. Sale of certain Federal land.
- Sec. 104. Open space recreation area.

TITLE II—TRIBAL CULTURAL RESOURCES

- Sec. 201. Transfer of land to be held in trust for Tribe.

TITLE III—BURBANK CANYONS WILDERNESS

- Sec. 301. Addition to National Wilderness Preservation System.
- Sec. 302. Administration.
- Sec. 303. Fish and wildlife management.
- Sec. 304. Release of wilderness study area.
- Sec. 305. Native American cultural and religious uses.

TITLE IV—CERTAIN FOREST SERVICE LAND PROVISIONS

- Sec. 401. Determination required under the Santini-Burton Act.
- Sec. 402. Special use authorizations for recreation and other purposes.

1 SEC. 2. PURPOSE.

2 The purpose of this Act is to promote conservation,
 3 improve public land, and provide for sensible development
 4 in Douglas County, Nevada, and for other purposes.

5 SEC. 3. DEFINITIONS.

6 In this Act:

7 (1) COUNTY.—The term “County” means
 8 Douglas County, Nevada.

9 (2) MAP.—The term “Map” means the map en-
 10 titled “Douglas County Economic Development and
 11 Conservation Act” and dated March 25, 2026.

12 (3) PUBLIC LAND.—The term “public land”
 13 has the meaning given the term “public lands” in
 14 section 103 of the Federal Land Policy and Manage-
 15 ment Act of 1976 (43 U.S.C. 1702).

1 (4) SECRETARY CONCERNED.—The term “Sec-
2 retary concerned” means—

3 (A) with respect to National Forest Sys-
4 tem land, the Secretary of Agriculture (acting
5 through the Chief of the Forest Service); and

6 (B) with respect to land managed by the
7 Bureau of Land Management, including land
8 held in trust for the benefit of the Tribe, the
9 Secretary of the Interior.

10 (5) STATE.—The term “State” means the State
11 of Nevada.

12 (6) TRIBE.—The term “Tribe” means the
13 Washoe Tribe of Nevada and California.

14 (7) WILDERNESS.—The term “Wilderness”
15 means the Burbank Canyons Wilderness designated
16 by section 301(a).

17 **TITLE I—LAND CONVEYANCES**

18 **SEC. 101. CONVEYANCE TO STATE OF NEVADA.**

19 (a) CONVEYANCE.—Subject to valid existing rights,
20 the Secretary concerned shall convey to the State, without
21 consideration, all right, title, and interest of the United
22 States in and to the land described in subsection (b).

23 (b) DESCRIPTION OF LAND.—The land referred to in
24 subsection (a) is the approximately 67 acres of Forest

1 Service land generally depicted as “Lake Tahoe-Nevada
2 State Park” on the Map.

3 (c) COSTS.—As a condition of the conveyance under
4 subsection (a), the State shall pay all costs associated with
5 the conveyance, including costs of surveys, appraisals, en-
6 vironmental response and restoration, and administrative
7 costs (including closing fees).

8 (d) USE OF LAND.—

9 (1) IN GENERAL.—The land conveyed to the
10 State under subsection (a) shall be used only for—

11 (A) the conservation of wildlife or natural
12 resources; or

13 (B) a public park.

14 (2) FACILITIES.—Any facility on the land con-
15 veyed under subsection (a) shall be constructed and
16 managed in a manner consistent with the uses de-
17 scribed in paragraph (1).

18 (e) ENVIRONMENTAL RESPONSE AND RESTORA-
19 TION.—For purposes of the conveyance of land under sub-
20 section (a), the Secretary concerned—

21 (1) shall meet disclosure requirements for haz-
22 ardous substances, pollutants, or contaminants
23 under section 120(h) of the Comprehensive Environ-
24 mental Response, Compensation, and Liability Act
25 of 1980 (42 U.S.C. 9620(h));

1 (2) shall not otherwise be required to remediate
2 or abate hazardous substances, pollutants, or con-
3 taminants;

4 (3) shall not otherwise be required to remediate
5 or abate the presence of solid and hazardous waste
6 and materials that may be required by applicable
7 Federal, State, and local environmental laws and
8 regulations; and

9 (4) shall not otherwise be required to remove
10 any improvements from the land conveyed.

11 (f) EASEMENTS.—As a condition of conveyance of the
12 land under subsection (a), access easements for roads and
13 trails shall be reserved in the applicable deed at the discre-
14 tion of the Secretary concerned.

15 (g) SURVEY.—The exact acreage and legal descrip-
16 tion of the land to be conveyed under subsection (a) shall
17 be determined by a survey satisfactory to the Secretary
18 concerned.

19 (h) MINOR ERRORS.—The Secretary concerned, in
20 consultation with the State, may—

21 (1) make minor boundary adjustments to the
22 land to be conveyed under subsection (a); and

23 (2) correct any minor errors in the map, acre-
24 age estimate, or legal description of the land to be
25 conveyed under that subsection.

1 (i) REVERSION.—If any portion of the land conveyed
2 under subsection (a) is used in a manner that is incon-
3 sistent with the uses described in subsection (d), the land
4 shall, at the discretion of the Secretary concerned, revert
5 to the United States.

6 (j) ADDITIONAL TERMS AND CONDITIONS.—With re-
7 spect to the conveyance of land under subsection (a), the
8 Secretary concerned may require such additional terms
9 and conditions as the Secretary concerned determines to
10 be appropriate to protect the interests of the United
11 States.

12 **SEC. 102. CONVEYANCE TO DOUGLAS COUNTY, NEVADA.**

13 (a) DEFINITION OF FEDERAL LAND.—In this sec-
14 tion, the term “Federal land” means the approximately
15 7,777 acres of Federal land in the County that is identi-
16 fied as “Douglas County Land Conveyances” on the Map.

17 (b) AUTHORIZATION OF CONVEYANCE.—Subject to
18 valid existing rights and notwithstanding the land use
19 planning requirements of section 202 of the Federal Land
20 Policy and Management Act of 1976 (43 U.S.C. 1712),
21 on receipt of a request from the County for the conveyance
22 of the Federal land, the Secretary concerned shall convey
23 to the County, without consideration, all right, title, and
24 interest of the United States in and to the Federal land.

1 (c) COSTS.—The County shall pay any costs relating
2 to the conveyance authorized under subsection (b), includ-
3 ing costs of surveys, appraisals, environmental response
4 and restoration, and administrative costs (including clos-
5 ing fees).

6 (d) USE OF FEDERAL LAND.—

7 (1) IN GENERAL.—The Federal land conveyed
8 under subsection (b)—

9 (A) shall not be used by the County for
10 purposes other than flood control, recreation,
11 environmental quality, or any other public pur-
12 pose consistent with the Act of June 14, 1926
13 (commonly known as the “Recreation and Pub-
14 lic Purposes Act”) (43 U.S.C. 869 et seq.); and

15 (B) shall not be disposed of by the County.

16 (2) REVERSION.—If the Federal land conveyed
17 under subsection (b) is used in a manner incon-
18 sistent with paragraph (1), the Federal land shall, at
19 the discretion of the Secretary concerned, revert to
20 the United States.

21 (e) ENVIRONMENTAL RESPONSE AND RESTORA-
22 TION.—For purposes of the conveyance of the Federal
23 land under subsection (b), the Secretary concerned—

24 (1) shall meet disclosure requirements for haz-
25 ardous substances, pollutants, or contaminants

1 under section 120(h) of the Comprehensive Environ-
2 mental Response, Compensation, and Liability Act
3 of 1980 (42 U.S.C. 9620(h));

4 (2) shall not otherwise be required to remediate
5 or abate hazardous substances, pollutants, or con-
6 taminants;

7 (3) shall not otherwise be required to remediate
8 or abate the presence of solid and hazardous waste
9 and materials that may be required by applicable
10 Federal, State, and local environmental laws and
11 regulations; and

12 (4) shall not otherwise be required to remove
13 any improvements from the land conveyed.

14 (f) EASEMENTS.—As a condition of conveyance of the
15 Federal land under subsection (b), access easements for
16 roads and trails shall be reserved in the applicable deed
17 at the discretion of the Secretary concerned.

18 (g) SURVEY.—The exact acreage and legal descrip-
19 tion of the Federal land to be conveyed under subsection
20 (b) shall be determined by a survey satisfactory to the Sec-
21 retary concerned.

22 (h) MINOR ERRORS.—The Secretary concerned, in
23 consultation with the County, may—

1 (1) make minor boundary adjustments to the
2 Federal land to be conveyed under subsection (b);
3 and

4 (2) correct any minor errors in the map, acre-
5 age estimate, or legal description of the Federal land
6 to be conveyed under that subsection.

7 (i) ACQUISITION OF FEDERAL REVERSIONARY IN-
8 TEREST.—

9 (1) REQUEST.—The County may submit to the
10 Secretary concerned a request to acquire the Federal
11 reversionary interest in all or any portion of the
12 Federal land conveyed under subsection (b), subject
13 to the condition that the uses of that land are con-
14 sistent with subsection (d)(1).

15 (2) APPRAISAL.—

16 (A) IN GENERAL.—On receipt of a request
17 under paragraph (1), the Secretary concerned
18 shall complete an appraisal of the Federal re-
19 versionary interest in the Federal land re-
20 quested by the County.

21 (B) REQUIREMENT.—The appraisal under
22 subparagraph (A) shall be completed in accord-
23 ance with—

1 (i) the Federal Land Policy and Man-
2 agement Act of 1976 (43 U.S.C. 1701 et
3 seq.);

4 (ii) the Uniform Appraisal Standards
5 for Federal Land Acquisitions; and

6 (iii) the Uniform Standards of Profes-
7 sional Appraisal Practice.

8 (3) CONVEYANCE REQUIRED.—

9 (A) IN GENERAL.—If, by the date that is
10 1 year after the date of completion of the ap-
11 praisal under paragraph (2), the County sub-
12 mits to the Secretary concerned an offer to ac-
13 quire the Federal reversionary interest re-
14 quested under paragraph (1), the Secretary
15 concerned, shall convey to the County the rever-
16 sionary interest in the Federal land requested
17 with consideration.

18 (B) CONSIDERATION.—As consideration
19 for the conveyance of the Federal reversionary
20 interest conveyed under subparagraph (A), the
21 County shall pay to the Secretary concerned an
22 amount equal to the appraised value of the
23 Federal reversionary interest, as determined
24 under paragraph (2).

1 (C) COSTS OF CONVEYANCE.—The County
2 shall pay any costs relating to the conveyance
3 of the Federal reversionary interest under sub-
4 paragraph (A), including any costs for surveys
5 and other administrative costs.

6 (4) DISPOSITION OF PROCEEDS.—Any amounts
7 collected under this subsection shall be disposed of
8 in accordance with section 103(n).

9 (j) REVOCATION OF ORDERS.—Any public land order
10 that withdraws any parcel of the Federal land from appro-
11 priation or disposal under a public land law shall be re-
12 voked to the extent necessary to permit disposal of the
13 parcel of Federal land.

14 **SEC. 103. SALE OF CERTAIN FEDERAL LAND.**

15 (a) IN GENERAL.—As soon as practicable after the
16 date of enactment of this Act, and notwithstanding sec-
17 tions 202 and 203 of the Federal Land Policy and Man-
18 agement Act of 1976 (43 U.S.C. 1712, 1713), the Sec-
19 retary concerned shall, in accordance with the other provi-
20 sions of that Act and any other applicable law, and subject
21 to valid existing rights, conduct 1 or more sales of the
22 parcels of Federal land described in subsection (b) to
23 qualified bidders.

24 (b) DESCRIPTION OF LAND.—The parcels of Federal
25 land referred to in subsection (a) are—

1 (1) the approximately 31.5 acres of public land
2 generally depicted as “Lands for Disposal” on the
3 Map; and

4 (2) certain Federal land selected in accordance
5 with subsection (c) for potential disposal by the Sec-
6 retary concerned through—

7 (A) the Carson City Field Office Consoli-
8 dated Resource Management Plan (including
9 any subsequent amendments to that plan); or

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

12 (c) JOINT SELECTION REQUIRED.—The Secretary
13 concerned and the County shall jointly select which parcels
14 of Federal land to offer for potential disposal under sub-
15 section (b)(2).

16 (d) COMPLIANCE WITH LOCAL PLANNING AND ZON-
17 ING LAWS.—Before carrying out a sale of Federal land
18 under subsection (a), the County shall submit to the Sec-
19 retary concerned a certification that qualified bidders have
20 agreed to comply with—

21 (1) County zoning ordinances; and

22 (2) any master plan for the area approved by
23 the County.

24 (e) SURVEY.—The exact acreage and legal descrip-
25 tion of a parcel of Federal land to be conveyed under sub-

1 section (a) shall be determined by a survey satisfactory
2 to the Secretary concerned.

3 (f) MINOR ERRORS.—The Secretary concerned, in
4 consultation with the County, may—

5 (1) make minor boundary adjustments to the
6 parcels of Federal land to be conveyed under sub-
7 section (a); and

8 (2) correct any minor errors in the map, acre-
9 age estimate, or legal description of the parcels of
10 Federal land to be conveyed under that subsection.

11 (g) EASEMENTS.—As a condition of the conveyance
12 of a parcel of Federal land under subsection (a), access
13 easements for roads and trails shall be reserved in the ap-
14 plicable deed at the discretion of the Secretary concerned.

15 (h) ENVIRONMENTAL RESPONSE AND RESTORA-
16 TION.—For purposes of a conveyance of a parcel of Fed-
17 eral land under subsection (a), the Secretary concerned—

18 (1) shall meet disclosure requirements for haz-
19 ardous substances, pollutants, or contaminants
20 under section 120(h) of the Comprehensive Environ-
21 mental Response, Compensation, and Liability Act
22 of 1980 (42 U.S.C. 9620(h));

23 (2) shall not otherwise be required to remediate
24 or abate hazardous substances, pollutants, or con-
25 taminants;

1 (3) shall not otherwise be required to remediate
2 or abate the presence of solid and hazardous waste
3 and materials that may be required by applicable
4 Federal, State, and local environmental laws and
5 regulations; and

6 (4) shall not otherwise be required to remove
7 any improvements from the Federal land conveyed.

8 (i) ADDITIONAL TERMS AND CONDITIONS.—With re-
9 spect to a conveyance of a parcel of Federal land under
10 subsection (a), the Secretary concerned may require such
11 additional terms and conditions as the Secretary con-
12 cerned determines to be appropriate to protect the inter-
13 ests of the United States.

14 (j) METHOD OF SALE.—A sale of a parcel of Federal
15 land under subsection (a) shall be—

16 (1) through a competitive bidding process, un-
17 less otherwise determined by the Secretary con-
18 cerned; and

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

20 (k) RECREATION AND PUBLIC PURPOSES ACT CON-
21 VEYANCES.—

22 (1) IN GENERAL.—Not later than 30 days be-
23 fore any parcel of Federal land that is identified for
24 disposal by the Carson City Field Office Consoli-
25 dated Resource Management Plan (or any amend-

1 ment to that plan) is offered for sale under sub-
2 section (a), the State or County may elect to obtain
3 the applicable parcel of Federal land for public pur-
4 poses in accordance with the Act of June 14, 1926
5 (commonly known as the “Recreation and Public
6 Purposes Act”) (43 U.S.C. 869 et seq.).

7 (2) RETENTION.—Pursuant to an election made
8 under paragraph (1), the Secretary concerned shall
9 retain the parcel of Federal land subject to the elec-
10 tion for conveyance to the State or County in ac-
11 cordance with the Act of June 14, 1926 (commonly
12 known as the “Recreation and Public Purposes
13 Act”) (43 U.S.C. 869 et seq.).

14 (3) REVERSION.—If any parcel of Federal land
15 conveyed to the State or County under paragraph
16 (1) is used in a manner inconsistent with the Act of
17 June 14, 1926 (commonly known as the “Recreation
18 and Public Purposes Act”) (43 U.S.C. 869 et seq.),
19 the Federal land shall, at the discretion of the Sec-
20 retary concerned, revert to the United States.

21 (1) WITHDRAWAL.—

22 (1) IN GENERAL.—Subject to valid existing
23 rights and except as provided in paragraph (3), the
24 Federal land described in subsection (b) is with-
25 drawn from—

1 (A) all forms of entry, appropriation, or
2 disposal under the public land laws;

3 (B) location, entry, and patent under the
4 mining laws; and

5 (C) disposition under all laws relating to
6 mineral and geothermal leasing or mineral ma-
7 terials.

8 (2) TERMINATION.—The withdrawal under
9 paragraph (1) shall terminate—

10 (A) on the date of sale or conveyance of
11 title to the parcel of Federal land (including
12 mineral rights) described in subsection (b) pur-
13 suant to this section; or

14 (B) with respect to any parcel of Federal
15 land described in subsection (b) that is not sold
16 or exchanged, not later than 2 years after the
17 date on which the parcel of Federal land was
18 offered for sale under this section.

19 (3) EXCEPTION.—Paragraph (1)(A) shall not
20 apply to—

21 (A) a sale of a parcel of Federal land con-
22 ducted in accordance with this section; or

23 (B) an election by the County or the State
24 to obtain a parcel of Federal land for public
25 purposes under subsection (k)(1).

1 (m) DEADLINE FOR SALE.—

2 (1) IN GENERAL.—Except as provided in para-
3 graph (2), not later than 2 years after the date of
4 enactment of this Act, if there are 1 or more quali-
5 fied bidders for the land described in subsection
6 (b)(1), the Secretary concerned shall offer the land
7 for sale to the highest qualified bidder.

8 (2) POSTPONEMENT; EXCLUSION FROM SALE.—

9 At the request of the County, the Secretary con-
10 cerned may temporarily postpone or exclude from
11 sale under paragraph (1) all or a portion of the land
12 described in subsection (b).

13 (n) DISPOSITION OF PROCEEDS.—Of the proceeds of
14 a sale of a parcel of Federal land under this section—

15 (1) 5 percent shall be disbursed to the State for
16 use by the State for general education programs of
17 the State;

18 (2) 10 percent shall be disbursed to the County
19 for use by the County for general budgeting pur-
20 poses; and

21 (3) 85 percent shall be deposited in a special
22 account in the Treasury of the United States, to be
23 known as the “Douglas County Special Account”,
24 which shall be available to the Secretary concerned

1 without further appropriation and without fiscal
2 year limitation—

3 (A) to reimburse costs incurred by the Sec-
4 retary concerned in preparing for the sale of
5 the land described in subsection (b), including
6 costs of surveys, appraisals, environmental re-
7 sponse and restoration, and administrative costs
8 (including closing fees);

9 (B) to reimburse costs incurred by the Bu-
10 reau of Land Management and the Forest Serv-
11 ice in preparing for, and carrying out, the
12 transfers of land to be held in trust by the
13 United States under section 201; and

14 (C) to acquire environmentally sensitive
15 land or an interest in environmentally sensitive
16 land in the County—

17 (i) pursuant to the Douglas County
18 Open Space and Agricultural Lands Pres-
19 ervation Implementation Plan, or any sub-
20 sequent amendment to the plan that is un-
21 dertaken with full public involvement; and

22 (ii) for flood control purposes.

23 (o) REVOCATION OF ORDERS.—Any public land order
24 that withdraws any parcel of Federal land described in
25 subsection (b) from appropriation or disposal under a pub-

1 lie land law shall be revoked to the extent necessary to
2 permit disposal of that parcel of Federal land under this
3 section.

4 **SEC. 104. OPEN SPACE RECREATION AREA.**

5 (a) AUTHORIZATION OF CONVEYANCE.—Not later
6 than 180 days after the date on which the Secretary of
7 Agriculture receives a request from the County, the Sec-
8 retary of Agriculture shall convey to the County, without
9 consideration, all right, title, and interest of the United
10 States in and to the Federal land described in subsection
11 (b) to be used for recreation purposes.

12 (b) DESCRIPTION OF LAND.—The Federal land re-
13 ferred to in subsection (a) is the approximately 1,084
14 acres of land generally depicted as “Open Space Recre-
15 ation Area” on the Map.

16 (c) COSTS.—The County shall pay any costs relating
17 to the conveyance authorized under subsection (a), includ-
18 ing costs of surveys, appraisals, environmental response
19 and restoration, and administrative costs (including clos-
20 ing fees).

21 (d) NO DISPOSAL.—A parcel of Federal land con-
22 veyed under subsection (a) shall not be disposed of by the
23 County.

24 (e) SURVEY.—The exact acreage and legal descrip-
25 tion of a parcel of Federal land to be conveyed under sub-

1 section (a) shall be determined by a survey satisfactory
2 to the Secretary of Agriculture.

3 (f) MINOR ERRORS.—The Secretary of Agriculture,
4 in consultation with the County, may—

5 (1) make minor boundary adjustments to a par-
6 cel of Federal land to be conveyed under subsection
7 (a); and

8 (2) correct any minor errors in the map, acre-
9 age estimate, or legal description of a parcel of Fed-
10 eral land to be conveyed under that subsection.

11 (g) EASEMENTS.—As a condition of the conveyance
12 of a parcel of Federal land under subsection (a), access
13 easements for roads and trails shall be reserved in the ap-
14 plicable deed at the discretion of the Secretary of Agri-
15 culture.

16 (h) ADDITIONAL TERMS AND CONDITIONS.—With re-
17 spect to the conveyance of a parcel of Federal land under
18 subsection (a), the Secretary of Agriculture may require
19 such additional terms and conditions as the Secretary of
20 Agriculture determines to be appropriate to protect the in-
21 terests of the United States.

22 (i) ENVIRONMENTAL RESPONSE AND RESTORA-
23 TION.—For purposes of the conveyance of a parcel of Fed-
24 eral land under subsection (a), the Secretary of Agri-
25 culture—

1 (1) shall meet disclosure requirements for haz-
2 ardous substances, pollutants, or contaminants
3 under section 120(h) of the Comprehensive Environ-
4 mental Response, Compensation, and Liability Act
5 of 1980 (42 U.S.C. 9620(h));

6 (2) shall not otherwise be required to remediate
7 or abate hazardous substances, pollutants, or con-
8 taminants;

9 (3) shall not otherwise be required to remediate
10 or abate the presence of solid and hazardous waste
11 and materials that may be required by applicable
12 Federal, State, and local environmental laws and
13 regulations; and

14 (4) shall not otherwise be required to remove
15 any improvements from the parcel of Federal land
16 conveyed.

17 (j) REVERSION.—If any parcel of Federal land con-
18 veyed under subsection (a) is used in a manner incon-
19 sistent with this section, the parcel of Federal land shall,
20 at the discretion of the Secretary of Agriculture, revert
21 to the United States.

1 **TITLE II—TRIBAL CULTURAL**
2 **RESOURCES**

3 **SEC. 201. TRANSFER OF LAND TO BE HELD IN TRUST FOR**
4 **TRIBE.**

5 (a) DEFINITION OF TRUST LAND.—In this section,
6 the term “trust land” means—

7 (1) the land taken into trust under subsection

8 (b); and

9 (2) any land taken into trust under subsection

10 (c).

11 (b) FEDERAL LAND.—

12 (1) IN GENERAL.—Subject to valid existing
13 rights, all right, title, and interest of the United
14 States in and to the land described in paragraph
15 (2)—

16 (A) is transferred to the Secretary of the
17 Interior;

18 (B) shall be held in trust by the United
19 States for the benefit of the Tribe; and

20 (C) shall be part of the reservation of the
21 Tribe.

22 (2) DESCRIPTION OF FEDERAL LAND.—The
23 land referred to in paragraph (1) is the approxi-
24 mately 2,470 acres of Federal land depicted as
25 “BLM Land Held in Trust-Washoe Tribe” and

1 “USFS Land Held in Trust-Washoe Tribe” on the
2 Map.

3 (3) AUTHORITY TO TRANSFER FOREST SERVICE
4 LAND.—The Secretary of Agriculture shall have the
5 authority to administratively transfer Forest Service
6 land described in paragraph (2) to the Secretary of
7 the Interior, to be held in trust for the benefit of the
8 Tribe.

9 (c) NON-FEDERAL LAND.—

10 (1) IN GENERAL.—The Secretary of the Inte-
11 rior shall accept any conveyance of the 199 acres of
12 non-Federal land depicted as “Fee Lands Held in
13 Trust-Washoe Tribe” on the Map.

14 (2) TREATMENT.—On acceptance of a convey-
15 ance under paragraph (1), the land conveyed to the
16 Secretary of the Interior under that paragraph—

17 (A) shall be held in trust by the United
18 States for the benefit of the Tribe; and

19 (B) shall be part of the reservation of the
20 Tribe.

21 (3) REQUIREMENT.—A conveyance under para-
22 graph (1) shall be without consideration.

23 (d) SURVEY.—

24 (1) IN GENERAL.—As soon as practicable after
25 the date of enactment of this Act, the Secretary of

1 the Interior shall complete a cadastral survey and
2 accompanying legal description to establish the
3 boundaries of the trust land.

4 (2) FEDERAL REGISTER PUBLICATION.—On the
5 completion of the survey under paragraph (1), the
6 Secretary of the Interior shall publish in the Federal
7 Register a legal description of the trust land.

8 (e) USE OF TRUST LAND.—

9 (1) GAMING.—The trust land shall not be eligi-
10 ble, or considered to have been taken into trust, for
11 class II gaming or class III gaming (as those terms
12 are defined in section 4 of the Indian Gaming Regu-
13 latory Act (25 U.S.C. 2703)).

14 (2) THINNING; LANDSCAPE RESTORATION.—

15 (A) IN GENERAL.—The Secretary of the
16 Interior, in consultation and coordination with
17 the Tribe, may carry out on the trust land any
18 fuel reduction and other landscape restoration
19 activities that are beneficial to the Tribe and
20 the Bureau of Land Management, including the
21 restoration of threatened or endangered species
22 habitat.

23 (B) CONSERVATION BENEFITS.—Activities
24 carried out under subparagraph (A) include ac-

1 tivities that provide conservation benefits to a
2 species that—

3 (i) is not listed as endangered or
4 threatened under section 4(c) of the En-
5 dangered Species Act of 1973 (16 U.S.C.
6 1533(c)); but

7 (ii) is—

8 (I) listed by a State as a threat-
9 ened or endangered species;

10 (II) a species of concern or spe-
11 cial status species; or

12 (III) a candidate for a listing as
13 an endangered or threatened species
14 under the Endangered Species Act of
15 1973 (16 U.S.C. 1531 et seq.).

16 (f) WATER RIGHTS.—Nothing in this section affects
17 the allocation, ownership, interest, or control, as in exist-
18 ence on the date of enactment of this Act, of any water,
19 water right, or any other valid existing right held by the
20 United States, an Indian Tribe, a State, or a person.

1 **TITLE III—BURBANK CANYONS**
2 **WILDERNESS**

3 **SEC. 301. ADDITION TO NATIONAL WILDERNESS PRESERVA-**
4 **TION SYSTEM.**

5 (a) DESIGNATION.—In furtherance of the purposes of
6 the Wilderness Act (16 U.S.C. 1131 et seq.), the approxi-
7 mately 12,392 acres of Federal land managed by the Bu-
8 reau of Land Management, as generally depicted on the
9 Map as “Burbank Canyons Wilderness” is designated as
10 wilderness and as a component of the National Wilderness
11 Preservation System, to be known as the “Burbank Can-
12 yons Wilderness”.

13 (b) BOUNDARY.—The boundary of any portion of the
14 Wilderness that is bordered by a road shall be not less
15 than 100 feet from the centerline of the road to allow pub-
16 lic access.

17 (c) MAP AND LEGAL DESCRIPTION.—

18 (1) IN GENERAL.—As soon as practicable after
19 the date of enactment of this Act, the Secretary con-
20 cerned shall prepare a map and legal description of
21 the Wilderness.

22 (2) EFFECT.—The map and legal description
23 prepared under paragraph (1) shall have the same
24 force and effect as if included in this title, except

1 that the Secretary concerned may correct any minor
2 error in the map or legal description.

3 (3) AVAILABILITY.—A copy of the map and
4 legal description prepared under paragraph (1) shall
5 be on file and available for public inspection in the
6 appropriate offices of the Bureau of Land Manage-
7 ment.

8 (d) WITHDRAWAL.—Subject to valid existing rights,
9 the Wilderness is withdrawn from—

10 (1) all forms of entry, appropriation, or disposal
11 under the public land laws;

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

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

16 **SEC. 302. ADMINISTRATION.**

17 (a) MANAGEMENT.—Subject to valid existing rights,
18 the Wilderness shall be administered by the Secretary con-
19 cerned in accordance with the Wilderness Act (16 U.S.C.
20 1131 et seq.), except 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

1 (2) any reference in that Act to the Secretary
2 of Agriculture shall be considered to be a reference
3 to the Secretary of the Interior.

4 (b) LIVESTOCK.—The grazing of livestock in the Wil-
5 derness, if established before the date of enactment of this
6 Act, shall be allowed to continue, subject to such reason-
7 able regulations, policies, and practices as the Secretary
8 concerned considers to be necessary in accordance with—

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

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

16 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
17 ESTS.—Any land or interest in land within the boundaries
18 of the Wilderness that is acquired by the United States
19 after the date of enactment of this Act shall be added to,
20 and administered as part of, the Wilderness.

21 (d) ADJACENT MANAGEMENT.—

22 (1) IN GENERAL.—Congress does not intend for
23 the designation of the Wilderness to create a protec-
24 tive perimeter or buffer zone around the Wilderness.

1 (2) NONWILDERNESS ACTIVITIES.—The fact
2 that nonwilderness activities or uses can be seen or
3 heard from areas within the Wilderness shall not
4 preclude the conduct of the activities or uses outside
5 the boundary of the Wilderness.

6 (e) MILITARY OVERFLIGHTS.—Nothing in this title
7 restricts or precludes—

8 (1) low-level overflights of military aircraft over
9 the Wilderness, including military overflights that
10 can be seen or heard within the wilderness area;

11 (2) flight testing and evaluation; or

12 (3) the designation or creation of new units of
13 special use airspace, or the establishment of military
14 flight training routes, over the Wilderness.

15 (f) EXISTING AIRSTRIPS.—Nothing in this title re-
16 stricts or precludes low-level overflights by aircraft uti-
17 lizing airstrips in existence on the date of enactment of
18 this Act that are located within 5 miles of the proposed
19 boundary of the Wilderness.

20 (g) WILDFIRE, INSECT, AND DISEASE MANAGE-
21 MENT.—In accordance with section 4(d)(1) of the Wilder-
22 ness Act (16 U.S.C. 1133(d)(1)), the Secretary concerned
23 may take any measures in the Wilderness that the Sec-
24 retary concerned determines to be necessary for the con-
25 trol of fire, insects, and diseases, including, as the Sec-

1 retary concerned determines to be appropriate, the coordi-
2 nation of the activities with the State or a local agency.

3 (h) DATA COLLECTION.—In accordance with the Wil-
4 derness Act (16 U.S.C. 1131 et seq.) and subject to such
5 terms and conditions as the Secretary concerned may pre-
6 scribe, the Secretary concerned may authorize the installa-
7 tion and maintenance of hydrologic, meteorologic, or cli-
8 matological collection devices in the Wilderness if the Sec-
9 retary concerned determines that the facilities, and access
10 to the facilities, are essential to flood warning, flood con-
11 trol, or water reservoir operation activities.

12 (i) WATER RIGHTS.—

13 (1) FINDINGS.—Congress finds that—

14 (A) the Wilderness is located—

15 (i) in the semiarid region of the Great
16 Basin; and

17 (ii) at the headwaters of the streams
18 and rivers on land with respect to which
19 there are few, if any—

20 (I) actual or proposed water re-
21 source facilities located upstream; and

22 (II) opportunities for diversion,
23 storage, or other uses of water occur-
24 ring outside the land that would ad-

1 versely affect the wilderness values of
2 the land;

3 (B) the Wilderness is generally not suitable
4 for use or development of new water resource
5 facilities; and

6 (C) because of the unique nature of the
7 Wilderness, it is possible to provide for proper
8 management and protection of the wilderness
9 and other values of land by means different
10 from the means used in other laws.

11 (2) PURPOSE.—The purpose of this section is
12 to protect the wilderness values of the Wilderness by
13 means other than a federally reserved water right.

14 (3) STATUTORY CONSTRUCTION.—Nothing in
15 this title—

16 (A) constitutes an express or implied res-
17 ervation by the United States of any water or
18 water rights with respect to the Wilderness;

19 (B) affects any water rights in the State
20 (including any water rights held by the United
21 States) in existence on the date of enactment of
22 this Act;

23 (C) establishes a precedent with regard to
24 any future wilderness designations;

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

3 (E) limits, alters, modifies, or amends any
4 interstate compact or equitable apportionment
5 decree that apportions water among and be-
6 tween the State and other States.

7 (4) NEVADA WATER LAW.—The Secretary con-
8 cerned shall follow the procedural and substantive
9 requirements of State law in order to obtain and
10 hold any water rights not in existence on the date
11 of enactment of this Act with respect to the Wilder-
12 ness.

13 (5) NEW PROJECTS.—

14 (A) DEFINITION OF WATER RESOURCE FA-
15 CILITY.—

16 (i) IN GENERAL.—In this paragraph,
17 the term “water resource facility” means
18 irrigation and pumping facilities, res-
19 ervoirs, water conservation works, aque-
20 ducts, canals, ditches, pipelines, wells, hy-
21 dropower projects, transmission and other
22 ancillary facilities, and other water diver-
23 sion, storage, and carriage structures.

1 (ii) EXCLUSION.—In this paragraph,
2 the term “water resource facility” does not
3 include a wildlife guzzler.

4 (B) RESTRICTION ON NEW WATER RE-
5 SOURCE FACILITIES.—Except as otherwise pro-
6 vided in this title, on or after the date of enact-
7 ment of this Act, neither the President nor any
8 other officer, employee, or agent of the United
9 States shall fund, assist, authorize, or issue a
10 license or permit for the development of any
11 new water resource facility within any wilder-
12 ness area, including a portion of a wilderness
13 area, that is located in the County.

14 **SEC. 303. FISH AND WILDLIFE MANAGEMENT.**

15 (a) IN GENERAL.—In accordance with section
16 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
17 nothing in this title affects or diminishes the jurisdiction
18 of the State with respect to fish and wildlife management,
19 including the regulation of hunting, fishing, and trapping,
20 in the Wilderness.

21 (b) MANAGEMENT ACTIVITIES.—In furtherance of
22 the purposes and principles of the Wilderness Act (16
23 U.S.C. 1131 et seq.), the Secretary concerned may con-
24 duct any management activities in the Wilderness that are
25 necessary to maintain or restore any fish or wildlife popu-

1 lation, or the habitats to support such a population, if the
2 activities are carried out—

3 (1) in a manner that is consistent with relevant
4 wilderness management plans; and

5 (2) in accordance with—

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

8 (B) appropriate policies, such as those set
9 forth in Appendix B of the report of the Com-
10 mittee on Interior and Insular Affairs of the
11 House of Representatives accompanying H.R.
12 2570 of the 101st Congress (House Report
13 101–405), including the occasional and tem-
14 porary use of motorized vehicles and aircraft if
15 the use, as determined by the Secretary con-
16 cerned, would promote healthy, viable, and
17 more naturally distributed wildlife populations
18 that would enhance wilderness values with the
19 minimal impact necessary to reasonably accom-
20 plish those tasks.

21 (c) EXISTING ACTIVITIES.—Consistent with section
22 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and
23 in accordance with appropriate policies such as those set
24 forth in Appendix B of the report of the Committee on
25 Interior and Insular Affairs of the House of Representa-

1 tives accompanying H.R. 2570 of the 101st Congress
2 (House Report 101–405), the State may continue to use
3 aircraft, including helicopters, to survey, capture, trans-
4 plant, monitor, and provide water for wildlife populations
5 in the Wilderness.

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

7 (1) IN GENERAL.—The Secretary concerned
8 may designate areas in which, and establish periods
9 during which, for reasons of public safety, adminis-
10 tration, or compliance with applicable laws, no hunt-
11 ing, fishing, or trapping will be permitted in the Wil-
12 derness.

13 (2) CONSULTATION.—Except in emergencies,
14 the Secretary concerned shall consult with the ap-
15 propriate State agency and notify the public before
16 making any designation under paragraph (1).

17 (e) COOPERATIVE AGREEMENT.—

18 (1) IN GENERAL.—The State (including a des-
19 ignee of the State) may conduct wildlife manage-
20 ment activities in the Wilderness—

21 (A) in accordance with the terms and con-
22 ditions specified in the cooperative agreement
23 between the Secretary of the Interior and the
24 State entitled “Memorandum of Understanding
25 between the Bureau of Land Management and

1 the Nevada Department of Wildlife Supplement
2 No. 9” and signed November and December
3 2003, including any amendments to the cooper-
4 ative agreement agreed to by the Secretary of
5 the Interior and the State; and

6 (B) subject to all applicable laws (including
7 regulations).

8 (2) REFERENCES.—For the purposes of this
9 subsection, any reference to “Douglas County” in
10 the cooperative agreement described in paragraph
11 (1)(A) shall be considered to be a reference to the
12 Wilderness.

13 **SEC. 304. RELEASE OF WILDERNESS STUDY AREA.**

14 (a) FINDING.—Congress finds that, for purposes of
15 section 603(c) of the Federal Land Policy and Manage-
16 ment Act of 1976 (43 U.S.C. 1782(c)), the approximately
17 1,065 acres of public land in the Burbank Canyons Wil-
18 derness study area not designated as wilderness by this
19 title has been adequately studied for wilderness designa-
20 tion.

21 (b) RELEASE.—Any public land described in sub-
22 section (a) that is not designated as wilderness by this
23 title—

1 (1) is no longer subject to section 603(c) of the
 2 Federal Land Policy and Management Act of 1976
 3 (43 U.S.C. 1782(c)); and

4 (2) shall be managed in accordance with any
 5 applicable—

6 (A) land management plans adopted under
 7 section 202 of the Federal Land Policy and
 8 Management Act of 1976 (43 U.S.C. 1712);
 9 and

10 (B) cooperative conservation agreements in
 11 existence on the date of enactment of this Act.

12 **SEC. 305. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
 13 **USES.**

14 Nothing in this title alters or diminishes the treaty
 15 rights of any Indian Tribe (as defined in section 4 of the
 16 Indian Self-Determination and Education Assistance Act
 17 (25 U.S.C. 5304)).

18 **TITLE IV—CERTAIN FOREST**
 19 **SERVICE LAND PROVISIONS**

20 **SEC. 401. DETERMINATION REQUIRED UNDER THE**
 21 **SANTINI-BURTON ACT.**

22 As soon as practicable after the date on which the
 23 Secretary of Agriculture receives a request from the State
 24 or County for a determination by the Secretary of Agri-
 25 culture on whether a parcel of Forest Service land in the

1 County acquired under section 3 of Public Law 96–586
2 (commonly known as the “Santini-Burton Act”) (94 Stat.
3 3383; 114 Stat. 2357; 130 Stat. 1790) that is identified
4 by the State or the County in the request is suitable and
5 appropriate for conveyance under subsection (b) of that
6 section, the Secretary of Agriculture shall issue a deter-
7 mination.

8 **SEC. 402. SPECIAL USE AUTHORIZATIONS FOR RECRE-**
9 **ATION AND OTHER PURPOSES.**

10 (a) ISSUANCE OF SPECIAL USE AUTHORIZATIONS.—

11 To the extent practicable, not later than 1 year after the
12 date on which the Secretary of Agriculture receives a pro-
13 posal and an application from the County or a unit of local
14 government in the County for the use of the Federal land
15 described in subsection (b), the Secretary of Agriculture,
16 in accordance with applicable law, shall—

17 (1) process the proposal and application of the
18 County or unit of local government for a special use
19 permit for recreation or other purposes; and

20 (2) if the proposal is accepted and the applica-
21 tion is granted, authorize a permit consistent with
22 applicable law for the use of the Federal land.

23 (b) DESCRIPTION OF LAND.—The Federal land re-
24 ferred to in subsection (a) is the approximately 188 acres

1 of Federal land in the County generally depicted as “Di-
2 rected Special Use Permit” on the Map.

3 (c) TERMS AND CONDITIONS.—With respect to any
4 special use permit issued under subsection (a), the Sec-
5 retary of Agriculture may require such terms and condi-
6 tions as the Secretary of Agriculture determines to be ap-
7 propriate—

8 (1) to protect the interests of the United
9 States; and

10 (2) to ensure compliance with applicable laws
11 (including regulations) and agency directives.

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