

118TH CONGRESS
1ST SESSION

S. 3134

To amend the Sloan Canyon National Conservation Area Act to adjust the boundary of the Sloan Canyon National Conservation Area, to amend the Apex Project, Nevada Land Transfer and Authorization Act of 1989 to include the city of North Las Vegas, Nevada, and the Apex Industrial Park Owners Association, to clarify the authority of the Department of Defense to conduct certain military activities at the Nevada Test and Training Range, to designate the Southern Paiute Wilderness in the State of Nevada, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 2023

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

A BILL

To amend the Sloan Canyon National Conservation Area Act to adjust the boundary of the Sloan Canyon National Conservation Area, to amend the Apex Project, Nevada Land Transfer and Authorization Act of 1989 to include the city of North Las Vegas, Nevada, and the Apex Industrial Park Owners Association, to clarify the authority of the Department of Defense to conduct certain military activities at the Nevada Test and Training Range, to designate the Southern Paiute Wilderness in the State of 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.**

4 This Act may be cited as the “Promoting National
 5 Security and Preserving Access to Public Land in South-
 6 ern Nevada Act of 2023”.

7 **SEC. 2. SLOAN CANYON NATIONAL CONSERVATION AREA**
 8 **BOUNDARY ADJUSTMENT.**

9 (a) DEFINITIONS.—In this section:

10 (1) CONSERVATION AREA.—The term “Con-
 11 servation Area” means the Sloan Canyon National
 12 Conservation Area.

13 (2) SECRETARY.—The term “Secretary” means
 14 the Secretary of the Interior (acting through the Di-
 15 rector of the Bureau of Land Management).

16 (b) BOUNDARY ADJUSTMENT.—

17 (1) MAP.—Section 603(4) of the Sloan Canyon
 18 National Conservation Area Act (16 U.S.C. 460qqq-
 19 1(4)) is amended by striking “map entitled ‘South-
 20 ern Nevada Public Land Management Act’ and
 21 dated October 1, 2002” and inserting “map entitled
 22 ‘Proposed Sloan Canyon Expansion’ and dated June
 23 7, 2023”.

24 (2) ACREAGE.—Section 604(b) of the Sloan
 25 Canyon National Conservation Area Act (16 U.S.C.

1 460qqq-2(b)) is amended by striking “48,438” and
2 inserting “57,728”.

3 (c) RIGHT-OF-WAY.—Section 605 of the Sloan Can-
4 yon National Conservation Area Act (16 U.S.C. 460qqq-
5 3) is amended by adding at the end the following:

6 “(h) HORIZON LATERAL PIPELINE RIGHT-OF-
7 WAY.—

8 “(1) IN GENERAL.—Notwithstanding sections
9 202 and 503 of the Federal Land Policy Manage-
10 ment Act of 1976 (43 U.S.C. 1712, 1763) and sub-
11 ject to valid existing rights and paragraph (3), the
12 Secretary of the Interior, acting through the Direc-
13 tor of the Bureau of Land Management (referred to
14 in this subsection as the ‘Secretary’), shall, not later
15 than 1 year after the date of enactment of this sub-
16 section, grant to the Southern Nevada Water Au-
17 thority (referred to in this subsection as the ‘Author-
18 ity’), not subject to the payment of rents or other
19 charges, the temporary and permanent water pipe-
20 line infrastructure, and outside the boundaries of the
21 Conservation Area, powerline, facility, and access
22 road rights-of-way depicted on the map for the pur-
23 poses of—

24 “(A) performing geotechnical investigations
25 within the rights-of-way; and

1 “(B) constructing and operating water
2 transmission and related facilities.

3 “(2) EXCAVATION AND DISPOSAL.—

4 “(A) IN GENERAL.—The Authority may,
5 without consideration, excavate and use or dis-
6 pose of sand, gravel, minerals, or other mate-
7 rials from the tunneling of the water pipeline
8 necessary to fulfill the purpose of the rights-of-
9 way granted under paragraph (1).

10 “(B) MEMORANDUM OF UNDER-
11 STANDING.—Not later than 30 days after the
12 date on which the rights-of-way are granted
13 under paragraph (1), the Secretary and the Au-
14 thority shall enter into a memorandum of un-
15 derstanding identifying Federal land on which
16 the Authority may dispose of materials under
17 subparagraph (A) to further the interests of the
18 Bureau of Land Management.

19 “(3) REQUIREMENTS.—A right-of-way issued
20 under this subsection shall be subject to the fol-
21 lowing requirements:

22 “(A) The Secretary may include reasonable
23 terms and conditions, consistent with section
24 505 of the Federal Land Policy and Manage-

1 ment Act of 1976 (43 U.S.C. 1765), as are nec-
2 essary to protect Conservation Area resources.

3 “(B) Construction of the water pipeline
4 shall not permanently adversely affect conserva-
5 tion area surface resources.

6 “(C) The right-of-way shall not be located
7 through or under any area designated as wilder-
8 ness.”.

9 (d) PRESERVATION OF TRANSMISSION AND UTILITY
10 CORRIDORS AND RIGHTS-OF-WAY.—The expansion of the
11 Conservation Area boundary under the amendment made
12 by subsection (b)—

13 (1) shall be subject to valid existing rights, in-
14 cluding land within a designated utility transmission
15 corridor or a transmission line right-of-way grant
16 approved by the Secretary in a record of decision
17 issued before the date of enactment of this Act;

18 (2) shall not preclude—

19 (A) any activity authorized in accordance
20 with a designated corridor or right-of-way re-
21 ferred to in paragraph (1), including the oper-
22 ation, maintenance, repair, or replacement of
23 any authorized utility facility within the cor-
24 ridor or right-of-way; or

1 (B) the Secretary from authorizing the es-
2 tablishment of a new utility facility right-of-way
3 within an existing designated transportation
4 and utility corridor referred to in paragraph (1)
5 in accordance with—

6 (i) the National Environmental Policy
7 Act of 1969 (42 U.S.C. 4321 et seq.) and
8 other applicable laws; and

9 (ii) subject to such terms and condi-
10 tions as the Secretary determines to be ap-
11 propriate; and

12 (3) except as provided in the amendment made
13 by subsection (c), modifies the management of the
14 Conservation Area pursuant to section 605 of the
15 Sloan Canyon National Conservation Area Act (16
16 U.S.C. 460qqq-3).

17 **SEC. 3. AMENDMENTS TO THE APEX PROJECT, NEVADA**
18 **LAND TRANSFER AND AUTHORIZATION ACT**
19 **OF 1989.**

20 (a) DEFINITIONS.—Section 2(b) of the Apex Project,
21 Nevada Land Transfer and Authorization Act of 1989
22 (Public Law 101-67; 103 Stat. 169) is amended—

23 (1) in the matter preceding paragraph (1), by
24 striking “As used in this Act, the following terms

1 shall have the following meanings—” and inserting
2 “In this Act:”;

3 (2) in each of paragraphs (1), (2), (4), and (5),
4 by inserting a paragraph heading, the text of which
5 comprises the term defined in that paragraph;

6 (3) in paragraph (3), by inserting “COUNTY;
7 CLARK COUNTY.—” before “The term”;

8 (4) in paragraph (6)—

9 (A) by inserting “FLPMA TERMS.—” be-
10 fore “All”; and

11 (B) by inserting “(43 U.S.C. 1701 et
12 seq.)” before the period at the end;

13 (5) by redesignating paragraphs (1), (2), (3),
14 (4), (5), and (6) as paragraphs (7), (6), (4), (5),
15 (2), and (8), respectively;

16 (6) by inserting before paragraph (2) (as so re-
17 designated) the following:

18 “(1) APEX INDUSTRIAL PARK OWNERS ASSOCIA-
19 TION.—The term ‘Apex Industrial Park Owners As-
20 sociation’ means the Apex Industrial Park Owners
21 Association formed on April 9, 2001, and chartered
22 in the State of Nevada (including any successor in
23 interest).”; and

24 (7) by inserting after paragraph (2) (as so re-
25 designated) the following:

1 “(3) CITY.—The term ‘City’ means the city of
2 North Las Vegas, Nevada.”.

3 (b) KERR-MCGEE SITE TRANSFER.—Section 3(b) of
4 the Apex Project, Nevada Land Transfer and Authoriza-
5 tion Act of 1989 (Public Law 101–67; 103 Stat. 170) is
6 amended—

7 (1) in the first sentence—

8 (A) by striking “Clark County” and insert-
9 ing “Clark County, the City, or the Apex Indus-
10 trial Park Owners Association, individually or
11 jointly, as appropriate,”; and

12 (B) by striking “Site” and inserting “Site
13 and other land conveyed in accordance with this
14 Act”; and

15 (2) in the third sentence, by striking “Clark
16 County” and inserting “Clark County, the City, or
17 the Apex Industrial Park Owners Association, indi-
18 vidually or jointly, as appropriate,”.

19 (c) AUTHORIZATION FOR ADDITIONAL TRANS-
20 FERS.—Section 4 of the Apex Project, Nevada Land
21 Transfer and Authorization Act of 1989 (Public Law 101–
22 67; 103 Stat. 171) is amended—

23 (1) in subsection (c), by striking “Clark Coun-
24 ty” and inserting “Clark County, the City, or the

1 Apex Industrial Park Owners Association, individ-
2 ually or jointly, as appropriate,”; and

3 (2) in subsection (e), by adding at the end the
4 following:

5 “(3) MINERAL MATERIALS SALE.—Notwithstanding
6 the requirements of part 3600 of title 43, Code of Federal
7 Regulations (as in effect on the date of enactment of this
8 paragraph), the Secretary may sell, at not less than fair
9 market value, without advertising or calling for bids and
10 without regard to volume or time limitations, mineral ma-
11 terials resulting from grading, land balancing, or other ac-
12 tivities on the surface of a parcel of land within the Apex
13 Site for which the United States retains an interest in the
14 minerals.”.

15 (d) ENVIRONMENTAL CONSIDERATIONS.—Section 6
16 of the Apex Project, Nevada Land Transfer and Author-
17 ization Act of 1989 (Public Law 101–67; 103 Stat. 173)
18 is amended by adding at the end the following:

19 “(d) COMPLIANCE WITH ENVIRONMENTAL ASSESS-
20 MENTS.—Each transfer by the United States of land or
21 interest in lands within the Apex Site or rights-of-way
22 issued pursuant to this Act shall be conditioned on the
23 compliance with applicable Federal land laws, including
24 the National Environmental Policy Act of 1969 (42 U.S.C.

1 4321 et seq.) and the Federal Land Policy and Manage-
2 ment Act of 1976 (43 U.S.C. 1701 et seq.).”

3 **SEC. 4. CLARIFICATION OF AUTHORITY OF DEPARTMENT**
4 **OF DEFENSE TO CONDUCT CERTAIN MILI-**
5 **TARY ACTIVITIES AT NEVADA TEST AND**
6 **TRAINING RANGE.**

7 (a) AUTHORIZED MILITARY ACTIVITIES.—Section
8 3011(b) of the Military Lands Withdrawal Act of 1999
9 (Public Law 106–65; 113 Stat. 886) is amended—

10 (1) in paragraph (1)—

11 (A) in the matter preceding subparagraph
12 (A), in the second sentence, by inserting “, sub-
13 ject to the conditions described in section
14 3014(a)” after “Secretary of the Air Force”;

15 (B) in subparagraph (C), by striking
16 “and” at the end;

17 (C) by redesignating subparagraph (D) as
18 subparagraph (G); and

19 (D) by inserting after subparagraph (C)
20 the following:

21 “(D) for emergency response;

22 “(E) for the establishment and use of ex-
23 isting or new electronic tracking and commu-
24 nications sites, including the construction of not
25 more than 15 equipment pads, not larger than

1 150-by-150 feet in size, along existing roads to
2 allow placement and operation of threat
3 emitters;

4 “(F) for the use and maintenance of roads
5 in existence as of January 1, 2023, depicted on
6 the map entitled ‘Desert National Wildlife
7 Range Proposed Southern Paiute Wilderness
8 Area’ and dated September 7, 2023, to allow
9 access to threat emitters and repeaters for in-
10 stallation, maintenance, and periodic relocation;
11 and”;

12 (2) in paragraph (5)(D)—

13 (A) in the matter preceding clause (i), by
14 striking “shall be construed to effect” and in-
15 serting “affects”; and

16 (B) by adding at the end the following:

17 “(iv) The authority of the Secretary
18 of the Interior to access the portions of the
19 joint use area under the primary jurisdic-
20 tion of the Secretary of the Interior to
21 carry out the management responsibilities
22 of the Secretary of the Interior for not less
23 than 10 percent of annual calendar days,
24 as enumerated in an annual access sched-
25 ule jointly prepared by the Secretary of the

1 Interior and the Secretary of the Air
2 Force.”; and

3 (3) by adding at the end the following:

4 “(7) LIMITATION ON USE OF CERTAIN LAND
5 BEFORE OPERATIONAL MEMORANDUM OF UNDER-
6 STANDING.—Notwithstanding subparagraph (E) of
7 paragraph (1), the Secretary of the Air Force shall
8 not install or make operational use of an electronic
9 tracking and communications site authorized under
10 that subparagraph that was not subject to with-
11 drawal before the date of enactment of this para-
12 graph until the date on which the Secretary of the
13 Air Force and the Secretary of the Interior have en-
14 tered into a new operational memorandum of under-
15 standing for management in the joint use area in
16 the Desert National Wildlife Refuge.”.

17 (b) INTERAGENCY COMMITTEE; INTERGOVERN-
18 MENTAL EXECUTIVE COMMITTEE.—Section 3011(b)(5) of
19 the Military Lands Withdrawal Act of 1999 (Public Law
20 106–65; 113 Stat. 887; 134 Stat. 4351) is amended—

21 (1) in subparagraph (G)—

22 (A) by striking clause (i) and inserting the
23 following:

24 “(i) IN GENERAL.—The Secretary of
25 the Interior and the Secretary of the Air

1 Force shall jointly establish an interagency
2 committee (referred to in this subpara-
3 graph as the ‘interagency committee’)—

4 “(I) to facilitate coordination,
5 manage public access needs and re-
6 quirements, and minimize potential
7 conflict between the Department of
8 the Interior and the Department of
9 the Air Force with respect to joint op-
10 erating areas in the Desert National
11 Wildlife Refuge;

12 “(II) to discuss, as needed—

13 “(aa) activities under con-
14 sideration in the joint operating
15 areas in the Desert National
16 Wildlife Refuge and the land
17 under the primary jurisdiction of
18 the Secretary of the Air Force in
19 the Desert National Wildlife Ref-
20 uge; and

21 “(bb) the activities author-
22 ized under paragraph (1); and

23 “(III) to provide input to the
24 United States Fish and Wildlife Serv-
25 ice and the Department of the Air

1 Force in assessing whether the activi-
2 ties described in subclause (II) may be
3 conducted in the joint operating areas
4 in the Desert National Wildlife Ref-
5 uge that are under the primary juris-
6 diction of the Secretary of the Interior
7 or land under the primary jurisdiction
8 of the Secretary of the Air Force in
9 the Desert National Wildlife Refuge,
10 in a manner that is consistent with—

11 “(aa) the National Wildlife
12 Refuge System Administration
13 Act of 1966 (16 U.S.C. 668dd et
14 seq.); and

15 “(bb) any other applicable
16 law.”; and

17 (B) in clause (ii)—

18 (i) in subclause (I), by inserting “, in-
19 cluding a designee of the Director of the
20 United States Fish and Wildlife Service”
21 before the period at the end; and

22 (ii) in subclause (II), by inserting “,
23 including a designee of the Assistant Sec-
24 retary of the Air Force for Energy, Instal-

1 lations, and Environment” before the pe-
2 riod at the end; and

3 (2) in subparagraph (H)(ii)(II), by striking
4 “with respect to public access needs and require-
5 ments” and inserting the following: “with respect
6 to—

7 “(aa) public access needs
8 and requirements; and

9 “(bb) any proposal by the
10 Secretary of the Air Force to un-
11 dertake any of the activities au-
12 thorized under paragraph (1) in
13 the joint operating areas in the
14 Desert National Wildlife Refuge
15 or the land under primary juris-
16 diction of the Secretary of the
17 Air Force in the Desert National
18 Wildlife Refuge”.

19 **SEC. 5. DESIGNATION OF SOUTHERN PAIUTE WILDERNESS,**
20 **NEVADA.**

21 (a) **DEFINITIONS.**—In this section:

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

24 (2) **STATE.**—The term “State” means the State
25 of Nevada.

1 (3) WILDERNESS AREA.—The term “wilderness
2 area” means the wilderness area designated by sub-
3 section (b)(1).

4 (b) ADDITION TO THE NATIONAL WILDERNESS
5 PRESERVATION SYSTEM.—

6 (1) DESIGNATION.—In accordance with the
7 Wilderness Act (16 U.S.C. 1131 et seq.), there is
8 designated as wilderness and as a component of the
9 National Wilderness Preservation System the ap-
10 proximately 736,188 acres of Federal land managed
11 by the Director of the United States Fish and Wild-
12 life Service in Clark and Lincoln Counties, Nevada,
13 to be known as the “Southern Paiute Wilderness”.

14 (2) BOUNDARY.—The boundary of any portion
15 of the wilderness area that is bordered by a road
16 shall be not less than 50 feet from the centerline of
17 the road.

18 (3) MAP AND LEGAL DESCRIPTION.—

19 (A) IN GENERAL.—As soon as practicable
20 after the date of enactment of this Act, the Sec-
21 retary shall prepare a map and legal description
22 of the wilderness area.

23 (B) EFFECT.—The map and legal descrip-
24 tion prepared under subparagraph (A) shall
25 have the same force and effect as if included in

1 this section, except that the Secretary may cor-
2 rect clerical and typographical errors in the
3 map or legal description.

4 (C) AVAILABILITY.—The map and legal
5 description prepared under subparagraph (A)
6 shall be on file and available for public inspec-
7 tion in the appropriate offices of the United
8 States Fish and Wildlife Service.

9 (4) WITHDRAWAL.—Subject to valid existing
10 rights, the wilderness area is withdrawn from—

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

13 (B) location, entry, and patent under the
14 mining laws; and

15 (C) operation of the mineral leasing and
16 geothermal leasing laws.

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

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

4 (d) INCORPORATION OF ACQUIRED LAND AND IN-
5 TERESTS IN LAND.—Any land or interest in land within
6 the boundary of the wilderness area that is acquired by
7 the United States after the date of enactment of this Act
8 shall be added to, and administered as part of, the wilder-
9 ness area.

10 (e) WATER RIGHTS.—

11 (1) FINDINGS.—Congress finds that—

12 (A) the land designated as the wilderness
13 area—

14 (i) is within the Mojave Desert;

15 (ii) is arid in nature; and

16 (iii) includes ephemeral streams;

17 (B) the hydrology of the land designated
18 as the wilderness area is predominantly charac-
19 terized by complex flow patterns and alluvial
20 fans with impermanent channels;

21 (C) the subsurface hydrogeology of the re-
22 gion in which the land designated as the wilder-
23 ness area is located is characterized by—

24 (i) groundwater subject to local and
25 regional flow gradients; and

1 (ii) unconfined and artesian condi-
2 tions;

3 (D) the land designated as the wilderness
4 area is generally not suitable for use or develop-
5 ment of new water resource facilities; and

6 (E) because of the unique nature and hy-
7 drology of the desert land in the wilderness
8 area, it is possible to provide for proper man-
9 agement and protection of the wilderness area
10 and other values of land in ways different from
11 ways used in other laws.

12 (2) EFFECT.—Nothing in this section—

13 (A) constitutes an express or implied res-
14 ervation by the United States of any water or
15 water rights with respect to the wilderness area;

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

20 (C) establishes a precedent with regard to
21 any future wilderness designations;

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

24 (E) limits, alters, modifies, or amends any
25 interstate compact or equitable apportionment

1 decree that apportions water among and be-
2 tween the State and other States.

3 (3) STATE WATER LAW.—The Secretary shall
4 follow the procedural and substantive requirements
5 of State law in order to obtain and hold any water
6 rights not in existence on the date of enactment of
7 this Act with respect to the wilderness area.

8 (4) NEW PROJECTS.—

9 (A) DEFINITION OF WATER RESOURCE FA-
10 CILITY.—

11 (i) IN GENERAL.—In this paragraph,
12 the term “water resource facility” means
13 an irrigation or pumping facility, reservoir,
14 water conservation work, aqueduct, canal,
15 ditch, pipeline, well, hydropower project,
16 transmission or other ancillary facility, and
17 other water diversion, storage, or carriage
18 structure.

19 (ii) EXCLUSION.—In this paragraph,
20 the term “water resource facility” does not
21 include a wildlife guzzler.

22 (B) RESTRICTION ON NEW WATER RE-
23 SOURCE FACILITIES.—Except as otherwise pro-
24 vided in this section, on and after the date of
25 enactment of this Act, neither the President nor

1 any other officer, employee, or agent of the
2 United States shall fund, assist, authorize, or
3 issue a license or permit for the development of
4 any new water resource facility within the wil-
5 derness area.

6 (f) WILDFIRE, INSECTS, AND DISEASE.—In accord-
7 ance with section 4(d)(1) of the Wilderness Act (16 U.S.C.
8 1133(d)(1)), the Secretary may take such measures in the
9 wilderness area as are necessary for the control of fire,
10 insects, and diseases (including, as the Secretary deter-
11 mines to be appropriate, the coordination of the activities
12 with a State or local agency).

13 (g) DATA COLLECTION.—Subject to such terms and
14 conditions as the Secretary may prescribe, nothing in this
15 section precludes the installation and maintenance of hy-
16 drologic, meteorological, or climatological collection de-
17 vices in the wilderness area, if the Secretary determines
18 that the devices and access to the devices are essential
19 to flood warning, flood control, or water reservoir oper-
20 ation activities.

21 (h) MILITARY OVERFLIGHTS.—Nothing in this sec-
22 tion restricts or precludes—

23 (1) low-level overflights of military aircraft over
24 the wilderness area, including military overflights
25 that can be seen or heard within the wilderness area;

1 (2) flight testing or evaluation; or

2 (3) the designation or creation of new units of
3 special use airspace or the establishment of military
4 flight training routes, over the wilderness area.

5 (i) WILDLIFE MANAGEMENT.—

6 (1) IN GENERAL.—In accordance with section
7 4(d)(7) of the Wilderness Act (16 U.S.C.
8 1133(d)(7)), nothing in this section affects or dimin-
9 ishes the jurisdiction of the State with respect to
10 fish and wildlife management, including the regula-
11 tion of hunting, fishing, and trapping, in the wilder-
12 ness area.

13 (2) MANAGEMENT ACTIVITIES.—In furtherance
14 of the purposes and principles of the Wilderness Act
15 (16 U.S.C. 1131 et seq.), the Secretary may conduct
16 any management activities in the wilderness area
17 that are necessary to maintain or restore fish and
18 wildlife populations and the habitats to support the
19 populations, if the activities are carried out—

20 (A) consistent with relevant wilderness
21 management plans or comprehensive conserva-
22 tion plans; and

23 (B) in accordance with—

24 (i) the Wilderness Act (16 U.S.C.
25 1131 et seq.); and

1 (ii) appropriate policies, including
2 policies authorizing the occasional and
3 temporary use of motorized vehicles, if the
4 use, as determined by the Secretary, would
5 promote healthy, viable, and more natu-
6 rally distributed wildlife populations that
7 would enhance wilderness values with the
8 minimal impact necessary to reasonably ac-
9 complish those tasks.

10 (3) EXISTING ACTIVITIES.—In accordance with
11 section 4(d)(1) of the Wilderness Act (16 U.S.C.
12 1133(d)(1)), the State may continue to use aircraft
13 (including helicopters) to survey, capture, trans-
14 plant, monitor, and provide water for wildlife popu-
15 lations.

16 (4) WILDLIFE WATER DEVELOPMENT
17 PROJECTS.—Subject to subsection (e), the Secretary
18 shall authorize structures and facilities, including ex-
19 isting structures and facilities, for wildlife water de-
20 velopment projects, including guzzlers, in the wilder-
21 ness area if—

22 (A) the structures and facilities would, as
23 determined by the Secretary, enhance wilder-
24 ness values by promoting healthy, viable, and

1 more naturally distributed wildlife populations;
2 and

3 (B) the visual impacts of the structures
4 and facilities on the wilderness area can reason-
5 ably be minimized.

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

7 (A) IN GENERAL.—The Secretary may des-
8 ignate areas in which, and establish periods
9 during which, for reasons of public safety, ad-
10 ministration, or compliance with applicable
11 laws, no hunting, fishing, or trapping will be
12 permitted in the wilderness area.

13 (B) CONSULTATION.—Except in an emer-
14 gency, the Secretary shall consult with the ap-
15 propriate State agency and notify the public be-
16 fore taking any action under subparagraph (A).

17 (j) PRESERVATION OF PUBLIC ACCESS.—The area
18 depicted as “Corn Creek / Alamo Road” on the map enti-
19 tled “Desert National Wildlife Range Proposed Southern
20 Paiute Wilderness Area” and dated September 7, 2023,
21 shall be preserved for public access.

22 (k) EFFECT OF ACT.—Nothing in this Act rescinds
23 or precludes the continued management of any other area
24 of the Desert National Wildlife Refuge as proposed wilder-
25 ness until the date on which the area is designated as a

1 component of the National Wilderness Preservation Sys-
2 tem by a subsequent Act of Congress.

3 **SEC. 6. BUREAU OF LAND MANAGEMENT AND STATE OF NE-**
4 **VADA COOPERATIVE AGREEMENT.**

5 Not later than 180 days after the date of enactment
6 of this Act, the Secretary of the Interior shall submit to
7 the Committee on Energy and Natural Resources of the
8 Senate and the Committee on Natural Resources of the
9 House of Representatives a report that describes the sta-
10 tus of the cooperative agreement authorized under section
11 2905(j)(6) of the James M. Inhofe National Defense Au-
12 thorization Act for Fiscal Year 2023 (Public Law 117-
13 263; 136 Stat. 3043).

○