

1 **SEC. __. MILITARY LAND WITHDRAWAL FOR FALLON RANGE TRAINING**
2 **COMPLEX.**

3 The Military Land Withdrawals Act of 2013 (title XXIX of division B of Public Law
4 113–66) is amended by adding at the end the following new subtitle:

5 **“Subtitle G—Fallon Range Training Complex, Nevada**

6 **“SEC. 2981. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.**

7 **“(a) WITHDRAWAL.—**

8 **“(1) BOMBING RANGES.—**Subject to valid rights in existence on the date of
9 enactment of the National Defense Authorization Act for Fiscal Year 2023, and except as
10 otherwise provided in this subtitle, the lands established at the B–16, B–17, B–19, and B–
11 20 Ranges, as referred to in subsection (b), and all other areas within the boundary of
12 such lands as depicted on the map referred to in such subsection, which may become
13 subject to the operation of the public land laws, are hereby withdrawn from all forms of

14 **“(A) entry, appropriation, or disposal under the public land laws;**

15 **“(B) location, entry, and patent under the mining laws; and**

16 **“(C) disposition under all laws relating to mineral and geothermal leasing**
17 **or mineral materials.**

18 **“(2) DIXIE VALLEY TRAINING AREA.—**The lands and interests in lands within the
19 boundaries established at the Dixie Valley Training Area, as referred to in subsection (b),
20 are hereby withdrawn from all forms of—

21 **“(A) entry, appropriation, or disposal under the public land laws; and**

22 **“(B) location, entry, and patent under the mining laws.**

23 **“(b) DESCRIPTION OF LAND.—**The public lands and interests in lands withdrawn and

1 reserved by this section comprise approximately 730,806 acres of land in Churchill County,
2 Lyon County, Mineral County, Pershing County, and Nye County, Nevada, as generally depicted
3 as “Proposed Withdrawal Land” and “Existing Withdrawals” on the map entitled “Fallon Range
4 Training Complex Modernization”, dated April 27, 2022, and filed in accordance with section
5 2912. The ranges in the Fallon Range Training Complex described in this subsection are
6 identified as B–16, B–17, B–19, B–20, Dixie Valley Training Area and the Shoal Site.

7 “(c) PURPOSE OF WITHDRAWAL AND RESERVATION.—The land withdrawn by subsection
8 (a) is reserved for use by the Secretary of the Navy for—

9 “(1) aerial testing and training, bombing, missile firing, electronic warfare,
10 tactical combat maneuvering, and air support;

11 “(2) ground combat tactical maneuvering and firing; and

12 “(3) other defense-related purposes that are—

13 “(A) consistent with the purposes specified in the preceding paragraphs;

14 and

15 “(B) authorized under section 2914.

16 **“SEC. 2982. MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.**

17 “(a) MANAGEMENT BY THE SECRETARY OF THE NAVY.—During the duration of this
18 withdrawal, the Secretary of the Navy shall manage the land withdrawn and reserved comprising
19 the B–16, B–17, B–19, and B–20 Ranges for the purposes described in section 2981(c) in
20 accordance with—

21 “(1) an integrated natural resources management plan prepared and implemented
22 under title I of the Sikes Act (16 U.S.C. 670a et seq.) and an integrated cultural resources
23 management plan;

1 “(2) to the extent possible, an agreement between the Secretary of the Navy and
2 the Governor of Nevada to accommodate hunting on portions of the B–17 Range
3 consistent with military training requirements;

4 “(3) a programmatic agreement between the Secretary of the Navy and the
5 Nevada State Historic Preservation Officer and other parties as appropriate regarding
6 management of historic properties as they relate to operation, maintenance, training, and
7 construction at the Fallon Range Training Complex;

8 “(4) agreements between the Secretary of the Navy and interested tribes and other
9 stakeholders to accommodate access by tribes to the B–16, B–17, B–19 and B–20 Ranges
10 consistent with military training requirements and public safety; and

11 “(5) any other applicable law.

12 “(b) MANAGEMENT BY THE SECRETARY OF THE INTERIOR.—

13 “(1) IN GENERAL.—During the duration of this withdrawal, the Secretary of the
14 Interior shall manage the land withdrawn and reserved comprising the Dixie Valley
15 Training Area and the Shoal Site for the purposes described in section 2981(c) in
16 accordance with—

17 “(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C.
18 1701 et seq.); and

19 “(B) any other applicable law.

20 “(2) CONSULTATION WITH SECRETARY OF THE NAVY.—Prior to authorizing any
21 use of the land comprising the Dixie Valley Training Area or Shoal Site withdrawn and
22 reserved by section 2981, the Secretary of the Interior shall consult with the Secretary of
23 the Navy. Such consultation shall include—

1 “(A) informing the Secretary of the Navy of the pending authorization
2 request so that the Secretary of the Navy and the Secretary of the Interior may
3 work together to preserve the training environment; and

4 “(B) prior to authorizing any installation or use of mobile or stationary
5 equipment used to transmit and receive radio signals, obtaining permission from
6 the Secretary of the Navy to authorize the use of such equipment.

7 “(3) AGREEMENT.—The Secretary of the Navy and the Secretary of the Interior
8 shall enter into an agreement describing the roles and responsibilities of each Secretary
9 with respect to the management and use of the Dixie Valley Training Area and Shoal Site
10 to preserve the training environment.

11 **“SEC. 2983. RELATIONSHIP TO OTHER RESERVATIONS.**

12 “(a) B–16 AND B-20 RANGES.—To the extent the withdrawal and reservation made by
13 section 2981 for the B–16 and B-20 Ranges withdraws lands currently withdrawn and reserved
14 for use by the Bureau of Reclamation, the reservation made by such section shall be the primary
15 reservation for public safety management actions only, and the existing Bureau of Reclamation
16 reservation shall be the primary reservation for all other management actions. The Secretary of
17 the Navy shall enter into an agreement with the Secretary of the Interior to ensure continued
18 access to the B–16 and B-20 Ranges by the Bureau of Reclamation to conduct management
19 activities consistent with the purposes for which the Bureau of Reclamation withdrawal was
20 established.

21 “(b) SHOAL SITE.—The Secretary of Energy shall remain responsible and liable for the
22 subsurface estate and all its activities at the ‘Shoal Site’ withdrawn and reserved by Public Land
23 Order Number 2771, as amended by Public Land Order Number 2834.

1 **“SEC. 2984. RELEASE OF WILDERNESS STUDY AREAS.**

2 “The approximately 22,335 acres of public land in the Clan Alpine Mountains
3 Wilderness Study Area, the approximately 4,900 acres of public land of the Stillwater Range
4 Wilderness Study Area, and the approximately 19,000 acres of public land of the Job Peak
5 Wilderness Study Area that are reserved for use by the Secretary of the Navy under section 2981
6 shall no longer be subject to section 603(c) of the Federal Land Policy and Management Act of
7 1976 (43 U.S.C. 1782(c)).

8 **“SEC. 2985. USE OF MINERAL MATERIALS.**

9 “Notwithstanding any other provision of this subtitle or of the Act of July 31, 1947
10 (commonly known as the Materials Act of 1947; 30 U.S.C. 601 et seq.), the Secretary of the
11 Navy may use sand, gravel, or similar mineral materials resources of the type subject to
12 disposition under that Act from lands withdrawn and reserved by this subtitle if use of such
13 resources is required for construction needs on such lands.

14 **“SEC. 2986. TRIBAL ACCESS AGREEMENT AND CULTURAL RESOURCES**
15 **SURVEY.**

16 “(a) TRIBAL ACCESS AGREEMENT.—The Secretary of the Navy and the Secretary of the
17 Interior shall enter into an agreement with the affected federally recognized tribes that
18 establishes access protocols to provide continued, regular, and timely access to the land
19 withdrawn and reserved by section 2981, including all lands subject to previous withdrawals
20 under section 3011(a) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law
21 106-65), that contains cultural, religious, and archaeological resources of importance to the
22 affected federally recognized tribes.

1 “(b) ETHNOGRAPHIC STUDY.—The Secretary of the Navy, in consultation with the State
2 of Nevada and appropriate tribal governments, shall conduct an ethnographic study of the
3 expanded Fallon Range Training Complex to assess the importance of that area to Indian tribes
4 and the religious and cultural practices of those tribes.

5 “(c) CULTURAL RESOURCES SURVEY.—

6 “(1) SURVEY.—The Secretary of the Navy, after consultation with the affected
7 federally recognized tribes and review of data, studies, and reports in the possession of
8 such tribes, shall conduct a cultural resources survey of the land withdrawn and reserved
9 by section 2981 for the expanded areas of the B-16, B-17 and B-20 Ranges that were not
10 subject to previous withdrawals comprising the Fallon Range Training Complex that
11 includes pedestrian field surveys and the inventory and identification of specific sites
12 containing cultural, religious, and archaeological resources of importance to the affected
13 federally recognized tribes.

14 “(2) RESULTS.—The Secretary of the Navy shall provide the results of the survey
15 conducted under paragraph (1) to the affected federally recognized tribes for review and
16 comment prior to concluding survey activities.

17 “(3) INCLUSION IN AGREEMENT.—The agreement under subsection (a) shall
18 include access to the specific sites identified by the survey conducted under paragraph (1)
19 by the affected federally recognized tribes.

20 “(4) LIMITATION ON USE OF LAND PRIOR TO COMPLETION OF SURVEY.—The
21 Secretary of the Navy may not make operational use of the expanded areas of the B-16,
22 B-17 and B-20 Ranges that were not subject to previous withdrawals comprising the

1 Fallon Range Training Complex are withdrawn and reserved by section 2981 until
2 completion of the survey required by paragraph (1) .

3 “(d) AGREEMENT TO MITIGATE ADVERSE EFFECTS.—The Secretary of the Navy, the
4 Secretary of the Interior, and the affected federally recognized tribes shall enter into an
5 agreement consistent with section 306108 of title 54, United States Code, that identifies actions
6 to avoid, minimize, or mitigate adverse effects to sites identified in subsection (c), including
7 adverse effects from noise.

8 “(e) REPORT.—Not later than one year after the date of the enactment of this Act, the
9 Secretary of the Navy and the Secretary of the Interior shall jointly submit to Congress a report
10 describing—

11 “(1) the access protocols established by the agreement under subsection (a);

12 “(2) the results of the ethnographic study conducted under subsection (b);

13 “(3) the results of the cultural resource survey under subsection (c); and

14 “(4) actions to be taken to avoid, minimize, or mitigate adverse effects to sites on
15 the land withdrawn and reserved by section 2981.

16 **“SEC. 2987. RESOLUTION OF WALKER RIVER PAIUTE TRIBE CLAIMS.**

17 “(a) PAYMENT TO THE TRIBE.—Not later than one year after the date of enactment of the
18 National Defense Authorization Act for Fiscal Year 2023, the Secretary of the Navy shall
19 transfer \$20,000,000 of amounts authorized to be appropriated to the Secretary of the Navy for
20 operation and maintenance to an account designated by the Walker River Paiute Tribe (in this
21 section referred to as the “Tribe”) to resolve the claims of the Tribe against the United States for
22 the contamination, impairment, and loss of use of approximately 6,000 acres of land that is
23 within the boundaries of the reservation of the Tribe.

1 “(b) TRIBAL TRUST LAND IMPACTS.—With respect to the land established as the B-19
2 Range at the Fallon Range Training Complex, the Secretary of the Navy shall ensure the target
3 placement and use does not result in additional ordnance landing off-range onto the Walker
4 River Paiute Reservation.

5 “(c) ADDITIONAL TRUST LAND.—

6 “(1) ENVIRONMENTAL SITE ASSESSMENT.—Not later than one year after the date
7 of the enactment of the National Defense Authorization Act for Fiscal Year 2023 and
8 prior to taking the land described in paragraph (4) into trust for the benefit of the Tribe
9 under paragraph (3)(A), the Director of the Bureau of Indian Affairs (in this subsection
10 referred to as the “Director”) shall complete an environmental site assessment to
11 determine with respect to the land—

12 “(A) the likelihood of the presence of hazardous substance-related or other
13 environmental liability; and

14 “(B) if the Director determines the presence of hazardous substance-
15 related or other environmental liability is likely—

16 “(i) the extent of the contamination caused by such hazardous
17 substance or other environmental liability; and

18 “(ii) whether that liability can be remediated by the United States.

19 “(2) EXERCISE OF DISCRETION BY TRIBE.—If the Director determines pursuant to
20 the environmental site assessment completed under paragraph (1) that there is a
21 likelihood of the presence of hazardous substance-related or other environmental liability
22 on the land described in paragraph (4) that cannot be remediated by the United States, the

1 Tribe may determine whether the land should be taken into trust for the benefit of the
2 Tribe.

3 “(3) LAND TO BE HELD IN TRUST FOR THE TRIBE; IDENTIFICATION OF ALTERNATIVE
4 LAND.—

5 “(A) IN GENERAL.—If the Tribe determines pursuant to paragraph (2) that
6 the land described in paragraph (4) should be taken into trust for the benefit of the
7 Tribe, subject to valid existing rights, all right, title, and interest of the United
8 States in and to the land shall be—

9 “(i) held in trust by the United States for the benefit of the Tribe;

10 and

11 “(ii) made part of the existing reservation of the Tribe.

12 “(B) IDENTIFICATION OF SUITABLE AND COMPARABLE ALTERNATIVE
13 LAND.—If the Tribe determines pursuant to paragraph (2) due to discovered
14 environmental issues that the land described in paragraph (4) should not be taken
15 into trust for the benefit of the Tribe, not later than one year after the date on
16 which the Tribe makes that determination, the Director and the Tribe shall enter
17 into an agreement to identify suitable and comparable alternative land to be
18 withdrawn from Federal use and taken into trust for the benefit of the Tribe.

19 “(4) LAND DESCRIBED.—Subject to paragraph (5), the land to be held in trust for
20 the benefit of the Tribe under paragraph (3)(A) is the approximately 11,491 acres of
21 Bureau of Land Management and Bureau of Reclamation land located in Churchill, Lyon,
22 and Mineral Counties, Nevada, as generally depicted on the map entitled ‘Walker River
23 Paiute Trust Lands’, dated April 19, 2022, and more particularly described as follows:

1 “(A) FERNLEY EAST PARCEL.—The following land in Churchill County,

2 Nevada:

3 “(i) All land held by the Bureau of Reclamation in T. 20 N., R. 26
4 E., sec. 28, Mount Diablo Meridian.

5 “(ii) All land held by the Bureau of Reclamation in T. 20 N., R. 26
6 E., sec. 36, Mount Diablo Meridian.

7 “(B) SILVER SPRINGS PARCEL.—The following land in Lyon County,

8 Nevada:

9 “(i) All land held by the Bureau of Land Management in T. 18 N.,
10 R. 24 E., sec. 17, S1/2SW1/4 and S1/2SE1/4, Mount Diablo Meridian.

11 “(ii) All land held by the Bureau of Land Management in T. 18 N.,
12 R. 24 E., sec. 20, Mount Diablo Meridian.

13 “(iii) All land held by the Bureau of Land Management in T. 18 N.,
14 R. 24 E., sec. 21, S1/2, Mount Diablo Meridian.

15 “(iv) All land held by the Bureau of Land Management in T. 18 N.,
16 R. 24 E., sec. 22, Mount Diablo Meridian.

17 “(v) All land held by the Bureau of Land Management in T. 18 N.,
18 R. 24 E., sec. 28, N1/2NE1/4, SW1/4NE1/4, W1/2SE1/4NE1/4, and
19 NW1/4, Mount Diablo Meridian.

20 “(vi) All land held by the Bureau of Land Management in T. 18 N.,
21 R. 24 E., sec. 28, SE1/4SE1/4, Mount Diablo Meridian.

22 “(vii) All land held by the Bureau of Reclamation in T. 18 N., R.
23 24 E., sec. 29, Mount Diablo Meridian

1 “(C) WALKER LAKE PARCEL.—The following land in Mineral County,
2 Nevada:

3 “(i) All land held by the Bureau of Land Management in T. 11 N.,
4 R. 29 E., secs. 35 and 36, Mount Diablo Meridian.

5 “(ii) All land held by the Bureau of Reclamation in T. 10 N., R.
6 30 E., secs. 4, 5, 6, 8, 9, 16, 17, 20, 21, 28, 29, 32, and 33, Mount Diablo
7 Meridian.

8 “(iii) All land held by the Bureau of Land Management in T. 10.5
9 N., R. 30 E., secs. 31 and 32, Mount Diablo Meridian.

10 “(5) ADMINISTRATION.—

11 “(A) SURVEY.—Not later than 180 days after the date of enactment of the
12 National Defense Authorization Act for Fiscal Year 2023, the Secretary of the
13 Interior (referred to in this paragraph as the ‘Secretary’) shall complete a survey
14 to fully describe, and adequately define the boundaries of, the land described in
15 paragraph (4).

16 “(B) LEGAL DESCRIPTION.—

17 “(i) IN GENERAL.—Upon completion of the survey required under
18 subparagraph (A), the Secretary shall publish in the Federal Register a
19 legal description of the land described in paragraph (4).

20 “(ii) TECHNICAL CORRECTIONS.—Before the date of publication of
21 the legal description under this subparagraph, the Secretary may correct
22 any technical or clerical errors in the legal description as the Secretary
23 determines appropriate.

1 “(iii) EFFECT.—Effective beginning on the date of publication of
2 the legal description under this subparagraph, the legal description shall be
3 considered to be the official legal description of the land to be held in trust
4 for the benefit of the Tribe under paragraph (3)(A).

5 “(6) USE OF TRUST LAND.—The land taken into trust under paragraph (3)(A) shall
6 not be eligible, or considered to have been taken into trust, for class II gaming or class III
7 gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25
8 U.S.C. 2703)).

9 “(e) ELIGIBILITY FOR FEDERAL AND FEDERALLY-FUNDED PROGRAMS.—Funds paid to the
10 Tribe pursuant to this section, including any interest or investment income earned, may not be
11 treated as income or resources or otherwise used as the basis for denying or reducing the basis
12 for Federal financial assistance or other Federal benefit (including under the Social Security Act
13 (42 U.S.C. 301 et seq.)) to which the Tribe, a member of the Tribe, or a household would
14 otherwise be entitled.

15 **“SEC. 2988. LAND TO BE HELD IN TRUST FOR THE FALLON PAIUTE SHOSHONE**
16 **TRIBE.**

17 “(a) CONVEYANCE.—The Secretary of the Navy shall transfer to the Secretary of the
18 Interior, at no cost, the approximately 800 acres of land acquired by the Department of the Navy
19 in Churchill County, Nevada, and referred to on the map in section 2981(b) as ‘Dixie Meadows’.

20 “(b) TRUST LAND.—Upon transfer of the land in accordance with subsection (a), subject
21 to valid existing rights, all right, title, and interest of the United States in and to the land shall
22 be—

1 “(1) held in trust by the United States for the benefit of the Fallon Paiute
2 Shoshone Tribe;

3 “(2) made part of the reservation of the Fallon Paiute Shoshone Tribe; and

4 “(3) shall not be eligible, or considered to have been taken into trust, for class II
5 gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming
6 Regulatory Act (25 U.S.C. 2703)).

7 **“SEC. 2989. NATIONAL CONSERVATION AREAS.**

8 “(a) DESIGNATION OF NATIONAL CONSERVATION AREAS.—

9 “(1) FOX PEAK.—Approximately 184,657 acres of public land is designated as
10 the Fox Peak National Conservation Area.

11 “(2) GRIMES POINT.—Approximately 720 acres of public land identified as the
12 Grimes Point National Archeological Historic District is designated as the Grimes Point
13 National Conservation Area.

14 “(3) BLACK MOUNTAIN.—Approximately 3,415 acres of public land identified as
15 the Black Mountain-Pistone Archeological District, as depicted on a map dated May 12,
16 2020, is designated as the Black Mountain National Conservation Area.

17 “(b) MAPS AND LEGAL DESCRIPTIONS.—

18 “(1) IN GENERAL.—As soon as practicable after the date of enactment of the
19 National Defense Authorization Act for Fiscal Year 2023, the Secretary of the Interior
20 shall submit to Congress a map and legal description of each National Conservation Area
21 designated under subsection (a).

22 “(2) EFFECT.—The maps and legal descriptions submitted under paragraph (1)
23 shall have the same force and effect as if included in this section, except that the

1 Secretary of the Interior may correct technical or clerical errors in the maps and legal
2 descriptions.

3 “(3) PUBLIC AVAILABILITY.—A copy of each map and legal description submitted
4 under paragraph (1) shall be on file and available for public inspection in the appropriate
5 offices of the Bureau of Land Management.

6 “(c) MANAGEMENT.—The Secretary of the Interior shall manage the National
7 Conservation Areas designated under subsection (a)—

8 “(1) in a manner that conserves, protects, and enhances the resources of the
9 National Conservation Areas, including—

10 “(A) the relationship of the unique and nationally important historic,
11 cultural, archaeological, natural, and educational resources on the site to tribes;

12 “(B) the management of wildfire, invasive species, and wildlife; and

13 “(C) wildfire restoration;

14 “(2) in accordance with—

15 “(A) this subtitle;

16 “(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C.
17 1701 et seq.); and

18 “(C) any other applicable law; and

19 “(3) as components of the National Landscape Conservation System established
20 by section 2002 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202).

21 “(d) MANAGEMENT PLAN.—

22 “(1) DEVELOPMENT.—Not later than two years after the date of enactment of the
23 National Defense Authorization Act for Fiscal Year 2023 and in accordance with

1 subsection (e), the Secretary of the Interior shall develop a comprehensive plan for the
2 long-term management of each National Conservation Area designated under subsection
3 (a).

4 “(2) CONSULTATION.—In developing the management plan required under
5 paragraph (1), the Secretary of the Interior shall consult with—

6 “(A) appropriate Federal, State, local and tribal governments; and

7 “(B) members of the public.

8 “(3) REQUIREMENTS.—The management plan required under paragraph (1)
9 shall—

10 “(A) describe the appropriate uses of each National Conservation Area;

11 “(B) authorize the appropriate use of motor vehicles in each National
12 Conservation Area, including the maintenance of existing roads;

13 “(C) incorporate any provision of an applicable land and resource
14 management plan that the Secretary considers to be appropriate; and

15 “(D) specifically address the relationship of the unique and nationally
16 important historic, cultural, archaeological, natural, and educational resources on
17 each National Conservation Area to interested tribes.

18 “(e) USES.—The Secretary of the Interior shall only allow use of each National
19 Conservation Area designated under subsection (a) that the Secretary determines would further
20 the purposes of this section.

21 “(f) MOTORIZED VEHICLES.—Except as needed for administrative purposes or to respond
22 to an emergency, the use of motorized vehicles in each National Conservation Area designated

1 under subsection (a) shall be permitted only on roads and trails designated for the use of
2 motorized vehicles by the management plan required under subsection (d).

3 “(g) WITHDRAWAL.—Subject to valid existing rights, all public land in each National
4 Conservation Area designated under subsection (a) is withdrawn from—

5 “(1) all forms of entry, appropriation, and disposal under the public land laws;

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

7 “(3) disposition under all laws relating to mineral and geothermal leasing or
8 mineral materials.

9 “(h) ADDITIONAL LAND.—Notwithstanding any other provision of law, if the Secretary of
10 the Interior acquires mineral or other interests in a parcel of land within the National
11 Conservation Areas designated under subsection (a) after the date of enactment of this Act, the
12 parcel is withdrawn from operation of the laws referred to in subsection (g) on the date of
13 acquisition of the parcel.

14 “(i) HUNTING, FISHING, AND TRAPPING.—

15 “(1) IN GENERAL.—Subject to subsection (c), nothing in this section affects the
16 jurisdiction of the State with respect to fish and wildlife, including hunting, fishing, and
17 trapping, in the National Conservation Areas designated under subsection (a).

18 “(2) LIMITATIONS.—

19 “(A) REGULATIONS.—The Secretary of the Interior may designate by
20 regulation areas in which, and establish periods during which, no hunting, fishing,
21 or trapping is permitted in the National Conservation Areas designated under
22 subsection (a), for reasons of public safety, administration, or compliance with
23 applicable laws.

1 “(B) CONSULTATION REQUIRED.—Except in the case of an emergency,
2 before prescribing regulations under subparagraph (A) that close a portion of a
3 National Conservation Area to hunting, fishing, or trapping, the Secretary of the
4 Interior shall consult with the appropriate State agency.

5 “(j) GRAZING.—In the case of land included in a National Conservation Area designated
6 under subsection (a) on which the Secretary of the Interior permitted livestock grazing as of the
7 date of enactment of the National Defense Authorization Act for Fiscal Year 2023, the Secretary
8 shall allow such livestock grazing to continue, subject to applicable laws.

9 “(k) VISITOR SERVICE FACILITIES.—The Secretary of the Interior, in consultation with the
10 State of Nevada and tribes that the Secretary determines to be appropriate, may establish visitor
11 service facilities for the purpose of providing information about the historical, cultural,
12 archaeological, ecological, recreational, geologic, scientific, and other resources of the National
13 Conservation Areas designated under subsection (a).

14 “(l) LOW-LEVEL OVERFLIGHTS.—Nothing in this section shall be construed to restrict or
15 preclude low-level overflights of military aircraft, flight testing and evaluation, or the
16 designation or creation of new units of special use airspace or the establishment of military
17 training routes over the National Conservation Areas designated under subsection (a).

18 “(m) INAPPLICABILITY OF GENERAL PROVISIONS.—Notwithstanding section 2911(a),
19 subtitle A of this Act shall not apply to this section.

20 **“SEC. 2990. CLAN ALPINE MOUNTAINS WILDERNESS.**

21 “(a) DESIGNATION. —In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.),
22 approximately 68,458 acres of the land identified as the Clan Alpine Mountains Wilderness
23 Study Area is designated as a wilderness area and as a component of the National Wilderness

1 Preservation System.

2 “(b) LOW-LEVEL OVERFLIGHTS.—Nothing in this section shall be construed to restrict or
3 preclude low-level overflights of military aircraft, flight testing and evaluation, or the
4 designation or creation of new units of special use airspace or the establishment of military
5 training routes over the wilderness area designated under subsection (a).

6 “(c) INAPPLICABILITY OF GENERAL PROVISIONS.—Notwithstanding section 2911(a),
7 subtitle A of this Act shall not apply to this section.

8 **“SEC. 2991. ROAD RECONSTRUCTION AND TREATMENT OF EXISTING ROADS**
9 **AND RIGHTS-OF-WAY.**

10 “(a) ROAD RECONSTRUCTION.—The Secretary of the Navy shall be responsible for the
11 timely—

12 “(1) reconstruction of—

13 “(A) Lone Tree Road leading to the B-16 Range; and

14 “(B) State Highway 361; and

15 “(2) relocation of—

16 “(A) Sand Canyon/Red Mountain Roads; and

17 “(B) Pole Line Road.

18 “(b) EXISTING ROADS AND RIGHTS-OF-WAY.—The withdrawal and reservation of land
19 made by section 2981 shall not be construed to affect the following roads and associated rights-
20 of-way:

21 “(1) United States Highways 50 and 95.

22 “(2) State Routes 121 and 839.

1 “(3) County roads identified as Simpson Road, East County Road, Earthquake
2 Fault Road, and Fairview Peak Road.

3 “(c) RS 2477 CLAIMS.—The withdrawal and reservation of land made by section 2981
4 shall not be construed to obstruct or interfere with the ability of the County to seek adjudication
5 of claims concerning existing County roads under section 2477 of the Revised Statutes (43
6 U.S.C. 932), as in effect prior to being repealed by section 706(a) of the Federal Land Policy and
7 Management Act of 1976 (Public Law 94–579; 90 Stat. 2793).

8 “(d) TREATMENT OF THE WESTSIDE ENERGY CORRIDOR.—

9 “(1) IN GENERAL.—Nothing in section 2981 shall be construed to restrict the
10 development of high voltage electrical power utility lines within that portion of the
11 designated Westside Energy Corridor as is located outside of the B–16 Range.

12 “(2) TRANSMISSION LINE.—The Secretary of the Navy shall allow one
13 transmission line within that portion of the designated Westside Energy Corridor that is
14 located within the B–16 Range nearest the existing transmission line adjacent to the
15 western boundary of the B–16 Range.

16 “(3) FUTURE TRANSMISSION LINE.—If the Secretary of the Navy and the Secretary
17 of the Interior determine that additional transmission lines cannot be accommodated
18 outside of the B-16 Range, to the extent possible, the Secretary shall allow the
19 construction of a new transmission line as close as possible to the existing transmission
20 line.

21 **“SEC. 2992. SAGE GROUSE STUDY.**

22 “The Secretary of the Navy, in consultation with the State of Nevada, shall conduct a
23 study to further assess greater sage grouse reactions to military overflights.

1 **“SEC. 2993. TREATMENT OF LIVESTOCK GRAZING PERMITS.**

2 “(a) IN GENERAL.—The Secretary of the Navy shall notify holders of grazing allotments
3 impacted by the withdrawal and reservation of land pursuant to section 2981 and, if possible,
4 assist those holders in obtaining replacement forage.

5 “(b) REVISIONS TO ALLOTMENT PLANS.—The Secretary of the Navy shall reimburse the
6 Bureau of Land Management for grazing program-related administrative costs reasonably
7 incurred by the Bureau of Land Management due to the withdrawal and reservation of land
8 pursuant to section 2981.

9 “(c) ALTERNATIVE TO REPLACEMENT FORAGE.—If replacement forage cannot be
10 identified under subsection (a), the Secretary of the Navy shall make payments to Federal
11 grazing permit holders for all losses suffered by the permit holders as a result of the withdrawal
12 or other use of former Federal grazing lands for national defense purposes pursuant to the Act of
13 June 28, 1934 (commonly known as the “Taylor Grazing Act”) (48 Stat. 1269, chapter 865; 43
14 U.S.C. 315 et seq.).

15 “(d) NOTIFICATION AND PAYMENT.—The Secretary of the Navy shall notify, by certified
16 mail, holders of grazing allotments that are terminated and shall compensate those holders for
17 authorized permanent improvements associated with those allotments.

18 **“SEC. 2994. TRANSFER OF LAND UNDER THE ADMINISTRATIVE JURISDICTION**
19 **OF THE DEPARTMENT OF THE NAVY.**

20 “(a) TRANSFER REQUIRED.—Subject to subsection (b), the Secretary of the Navy shall
21 transfer to the Secretary of the Interior, at no cost, administrative jurisdiction of the
22 approximately 86 acres of a noncontiguous parcel of land acquired by the Department of the
23 Navy in Churchill County, Nevada, for inclusion in the Sand Mountain Recreation Area.

1 “(b) CERTIFICATION WITH RESPECT TO ENVIRONMENTAL HAZARDS.—Prior to conveying
2 land under subsection (a), the Secretary of the Navy shall certify the land is free from
3 environmental hazards.

4 **“SEC. 2995. PUBLIC PURPOSE CONVEYANCES.**

5 “(a) CONVEYANCE REQUIRED FOR PUBLIC PURPOSES.—Notwithstanding section 202 of
6 the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), the Secretary of the
7 Interior shall convey, subject to valid existing rights and subsection (b), for no consideration, all
8 right, title, and interest of the United States in approximately 6,645 acres of Federal land to
9 Churchill County and 212 acres of land the City of Fallon identified as ‘Public Purpose
10 Conveyances to Churchill County and City of Fallon’ on the Map “Fallon Range Training
11 Complex Modernization”, dated April 27, 2022,. The County and City shall use the lands for
12 public purposes, including construction and operation of a new fire station, expansion and
13 operation of wastewater treatment facilities, expansion and operation of sand and gravel quarries
14 for County road maintenance, expansion and operation of the County sanitary landfill, and
15 construction and operation of public recreational facilities.

16 “(b) EFFECT OF LACK OF USE OF LAND.—If a parcel of Federal land conveyed to the
17 County under paragraph (1) ceases to be used for public recreation or other public purposes
18 consistent with the Act of June 14, 1926 (commonly known as the “Recreation and Public
19 Purposes Act”; 43 U.S.C. 869 et seq.), the parcel of Federal land shall, at the discretion of the
20 Secretary, revert to the United States.

21 **“SEC. 2996. CHECKERBOARD RESOLUTION.**

22 “(a) LAND EXCHANGE AUTHORITY.—

1 “(1) AUTHORITY.—To the extent practicable and subject to existing rights, the
2 Secretary of the Interior shall offer to exchange land identified for exchange for private
3 land in Churchill County that is adjacent to Federal land in the County if the exchange
4 would consolidate land ownership and facilitate improved land management in the
5 County, as determined by the Secretary.

6 “(2) APPLICABLE LAW.—Except as otherwise provided in this subsection, a land
7 exchange under this subsection shall be conducted in accordance with—

8 “(A) section 206 of the Federal Land Policy and Management Act of 1976
9 (43 U.S.C. 14 1716); and

10 “(B) any other applicable law.

11 “(3) IDENTIFICATION OF FEDERAL LAND FOR EXCHANGE.—The Secretary of the
12 Interior shall identify Federal land in Churchill County managed by the Commissioner of
13 the Bureau of Reclamation and Federal land in Churchill County managed by the
14 Director of the Bureau of Land Management to offer for exchange from Federal land
15 identified as potentially suitable for disposal in an applicable resource management plan.

16 “(4) EQUAL VALUE LAND EXCHANGES.—

17 “(A) APPRAISALS.—Land to be exchanged under this subsection shall be
18 of equal value, based on appraisals prepared in accordance with—

19 “(i) Uniform Appraisal Standards for Federal Land Acquisitions;

20 and

21 “(ii) Uniform Standards of Professional Appraisal Practice.

22 “(B) USE OF MASS APPRAISALS.—Subject to subparagraph (C), the
23 Secretary of the Interior may use a mass appraisal to determine the value of land

1 to be exchanged under this subsection, if the Secretary determines that the land to
2 be subject to the mass appraisal is of similar character and value.

3 “(C) EXCLUSION.—The Secretary of the Interior shall exclude from a mass
4 appraisal under this paragraph any land with a value that is likely to exceed \$250
5 per acre, as determined by the Secretary of the Interior.

6 “(D) AVAILABILITY.—The Secretary of the Interior shall make the results
7 of a mass appraisal conducted under this paragraph available to the public.

8 “(b) AUTHORIZATION FOR SALE OF LAND.—

9 “(1) IDENTIFICATION PROCESS.—The Secretary of the Interior, in consultation with
10 Churchill County and after providing an opportunity for public comment, shall identify
11 Federal land in the County managed by the Commissioner of the Bureau of Reclamation
12 and Federal land in the County managed by the Director of the Bureau of Land
13 Management to offer for sale from Federal land identified as potentially suitable for
14 disposal in an applicable resource management plan.

15 “(2) DISCRETION OF THE SECRETARY.—Nothing in this subsection shall be
16 construed to prohibit the Secretary of the Interior from—

17 “(A) postponing a sale of Federal land under this section; or

18 “(B) excluding all or a portion of Federal land identified for sale under this
19 subsection.

20 “(3) METHOD OF SALE.—A sale of Federal land under this subsection shall be—

21 “(A) consistent with section 203 of the Federal Land Policy and
22 Management Act of 1976 (43 11 U.S.C. 1713);

1 “(B) conducted through a competitive bidding process, unless otherwise
2 determined by the Secretary of the Interior; and

3 “(C) for not less than fair market value as determined by the Secretary of
4 the Interior.

5 “(4) LIMITATION OF SALES.—Not more than a total of 50,000 acres of Federal land
6 in Churchill County shall be sold under this subsection.

7 **“SEC. 2997. TRIBAL LIAISON OFFICE.**

8 “The Secretary of the Navy shall establish and maintain a dedicated tribal liaison position
9 at Naval Air Station Fallon.

10 **“SEC. 2998. TERMINATION OF PRIOR WITHDRAWAL.**

11 “Notwithstanding section 2842 of the William M. (Mac) Thornberry National Defense
12 Authorization Act for Fiscal Year 2021 (Public Law 116–283) and section 3015 of the Military
13 Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65), the withdrawal and
14 reservation under section 3011(a) of such Act is terminated.

15 **“SEC. 2999. DURATION OF WITHDRAWAL AND RESERVATION.**

16 “The withdrawal and reservation of public land made by section 2981 shall terminate on
17 November 6, 2047.”.

Section-by-Section Analysis

The National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2000 (Public Law 106–65) withdrew and reserved approximately 204,953 acres of public land in Churchill County, Nevada, for defense-related uses as a range complex associated with Naval Air Station Fallon, Nevada. Subsequent refinement of real property descriptions revealed the actual withdrawal area to be 202,864 acres. The range complex is used to support naval aviation aerial combat maneuvering training and weapons deployment and is used by naval aviators to meet basic, intermediate, and advanced tactics, techniques, and procedures training requirements. It is also used by special operations forces for ground vehicle tactical maneuvering and live-fire training. The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) extended this withdrawal and reservation without change in size or

management and directed the Department of the Navy (DON) to work with the committees of jurisdiction, the Nevada congressional delegation, State and Tribal stakeholders to secure a mutually-agreed upon expansion at Fallon Range Training Complex (FRTC).

The current FRTC comprises withdrawn and fee-owned land in and around Fallon, Nevada. When the land withdrawal expires, the withdrawn land will return to the Department of the Interior (DOI) and will be unavailable for readiness training unless extended. Though essential to continued naval readiness, the FRTC is too small for today's tactics, techniques, and procedures. The range complex must be expanded by withdrawing an additional 527,942 acres to accommodate precision-guided munitions and SEAL ground mobility training in a tactical environment. The DON determined 1,079 acres of B-16 are not required and are being relinquished. The total withdrawal request is for 730,806 acres.

This proposal would modernize the FRTC by adding a subtitle to the Military Land Withdrawals Act of 2013 (title XXIX of the NDAA for FY 2004 (Public Law 113-66)). Sections 2901 and 2902 and subtitle A are common to all withdrawals under title XXIX. This proposal would create a new subtitle dedicated specifically to the unique aspects of the FRTC withdrawal. The specific sections to be added are listed below.

Section 2981 identifies the land to be withdrawn and reserved from public use.

Section 2982 provides for management of FRTC withdrawn and reserved lands. The DON would be responsible for managing the land within the ordnance ranges (B-16, B-17, B-19 and B-20) under the Sikes Act. The Bureau of Land Management would be responsible for managing the land within the Dixie Valley Training Area and Shoal Site under the Federal Land Policy and Management Act consistent with the purposes of the military land withdrawal. This section also requires the DON and DOI to enter into an agreement for DON review of DOI proposed actions.

Section 2983 establishes the relationship between the proposed FRTC land withdrawal and reservation to other reservations currently existing over portions of B-16 and B-20 held by the Bureau of Reclamation. With regard to Bureau of Reclamation withdrawals on B-16 and B-20, the section requires the DON to enter into an agreement with DOI to afford Bureau of Reclamation access to the ranges to operate and maintain its water management facilities consistent with DON range and public safety requirements.

Section 2984 provides for release from Wilderness Study Area designation over the areas known as the Job Peak Wilderness Study Area and the Stillwater Range Wilderness Study Area, and the portion of the Clan Alpine Mountains Wilderness Study Area, comprising approximately 127,670 acres, that is unsuitable for wilderness designation, and requires a memorandum of understanding between the Secretary of the Interior and the Secretary of the Navy concerning the management of lands under this section and approximately 78,478 acres adjacent to B-17.

Section 2985 authorizes the DON to extract sand and gravel from the withdrawn area for its use on the withdrawn lands.

Section 2986 directs the Secretaries of the Navy and Interior and the affected federally recognized tribes to develop an access agreement that will govern protocols for tribes to visit historical and culturally significant areas located within the bombing ranges; directs the Secretary of the Navy to conduct a cultural resources survey of the FRTC that considers input from the tribes; and requires the Secretaries of the Navy and the Interior to submit a report to Congress describing the access agreement and cultural resources survey.

Section 2987 resolves claims against the United States for past contamination of the Walker River Tribal reservation by authorizing payment of \$20 million to the Walker River Paiute Tribe, and requiring the Federal land to be held in trust by the United States for the benefit of the Tribe.

Section 2988 authorizes the Secretary of the Navy to transfer approximately 800 acres to the Secretary of the Interior to be held in trust by the United States for the benefit of the Fallon Paiute Shoshone Tribe.

Section 2989 creates the Black Mountain, Fox Peak, and Grimes Point National Conservation Areas.

Section 2990 designates as wilderness that portion, comprising approximately 68,458 acres, of the Clan Alpine Mountains Wilderness Study Area that is suitable for wilderness designation as determined by the Bureau of Land Management in 2000 while preserving the ability to conduct low-level military overflight of this area.

Section 2991 prescribes the treatment of existing roads and rights-of-way.

Section 2992 directs the Secretary of the Navy to fund and conduct a sage grouse study.

Section 2993 prescribes how the Secretary of the Navy shall compensate affected livestock grazing permit holders.

Section 2994 directs the Secretary of the Navy to transfer administrative jurisdiction of one parcel of land consisting of 86 acres to the Secretary of the Interior in Churchill County for the purpose of incorporating the parcel into the Sand Mountain Recreation Area, which is managed by the Bureau of Land Management. The 86-acre parcel fronts U.S. Route 50 and was purchased in 1986 as part of a larger acquisition of property in Dixie Valley. This parcel is of limited value to the DON, but of great value to DOI for meeting its requirements associated with the Sand Mountain Recreation Area.

Section 2995 directs the Secretary of the Interior to convey 7,045 acres of federally-owned land to Churchill County and 212 acres of federally-owned land to the City of Fallon, Nevada for public benefit purposes. The Secretary is also directed to convey 12,960 acres of federally-owned land to Churchill County for unrestricted use.

Section 2996 directs the Secretary of the Interior to offer to exchange federally-owned land for private land in order to resolve the checkerboard pattern of ownership in Churchill County. It also directs the Secretary to identify no more than 50,000 acres of federally-owned land in Churchill County for sale.

Section 2997 directs the Secretary of the Navy to establish and fund a Tribal Liaison position at Naval Air Station Fallon.

Section 2998 terminates the prior withdrawal for the FRTC.

Section 2999 provides a termination date for the withdrawal and reservation. The date is approximately 25 years after the expected date of enactment, in the middle of the fiscal year. This firm date makes it easier to manage and plan for renewals. This section also authorizes an extension of the withdrawal and reservation by mutual agreement of the Secretaries of the Navy and Interior.

Resource Information: The resources impacted are reflected in the table below and are included within the Fiscal Year (FY) 2023 President’s Budget Request.

RESOURCE IMPACTS (\$MILLIONS)									
	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	Appropriation	Budget Activity	BLI/SAG	Program Element
Civilian Personnel (6 additional FTEs)	\$0.90	\$0.90	\$0.91	\$0.91	\$0.91	Operation and Maintenance, Navy	01	BSS1	N/A
Range Facilities Maintenance (Base Operating Support) – maintenance of range facilities and restoration of burned areas	\$2.25	\$1.30	\$1.34	\$1.38	\$1.42	Operation and Maintenance, Navy	01	BSM1	N/A
Total	\$3.15	\$2.2	\$2.25	\$2.29	\$2.33				

PERSONNEL IMPACTS (END STRENGTH OR FTEs)									
	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	Appropriation	Budget Activity	BLI/ SAG	Program Element
Navy	6	6	6	6	6	Operation and Maintenance, Navy	01	BSS1	N/A
Total	6	6	6	6	6				

Changes to Existing Law: This proposal would add a new subtitle G to the Military Land Withdrawals Act of 2013, the full text of which is shown in the legislative text above.