

HR 4593

Lincoln County Conservation, Recreation, and Development Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Public Lands and Natural Resources

Introduced: Jun 16, 2004

Current Status: Became Public Law No: 108-424.

Latest Action: Became Public Law No: 108-424. (Nov 30, 2004)

Law: 108-424 (Enacted Nov 30, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/4593>

Sponsor

Name: Rep. Gibbons, Jim [R-NV-2]

Party: Republican • **State:** NV • **Chamber:** House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Berkley, Shelley [D-NV-1]	D · NV		Jun 16, 2004
Rep. Porter, Jon C. [R-NV-3]	R · NV		Jun 16, 2004

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Discharged from	Sep 22, 2004

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

Bill	Relationship	Last Action
108 S 2532	Identical bill	Sep 14, 2004: Committee on Energy and Natural Resources Subcommittee on Public Lands and Forests. Hearings held. With printed Hearing: S.Hrg. 108-737.

(Sec. 1) Authorizes appropriations.

Lincoln County Conservation, Recreation, and Development Act of 2004 - **Title I: Land Disposal** - (Sec. 102) Directs the Secretary of the Interior to conduct sales of certain acreage of Bureau of Land Management (BLM) managed public land in Lincoln County, Nevada. Requires bidders for such land to certify that they have agreed to comply with county and city zoning ordinances and any master plan for the land. Requires that the sale of such land be through a competitive process and for not less than fair market value. Withdraws such land from: (1) all forms of entry, appropriation, and disposal under the public land laws, including the mining laws, with a specified exception; (2) location, entry, and patent under the mining laws; and (3) operation of the mineral leasing and geothermal leasing laws.

(Sec. 103) Requires certain percentages of the proceeds from the sale of such land to be disbursed as follows: (1) to the State of Nevada for general education (five percent); (2) to Lincoln County for fire protection, law enforcement, public safety, housing, social services, and transportation (ten percent); and (3) remaining amounts to the Treasury for land management activities.

Title II: Wilderness Areas - (Sec. 203) Designates the following land in Nevada as wilderness and as components of the National Wilderness Preservation System: (1) Mormon Mountains Wilderness; (2) Meadow Valley Range Wilderness; (3) Delamar Mountains Wilderness; (4) Clover Mountains Wilderness; (5) South Pahroc Range Wilderness; (6) Worthington Mountains Wilderness; (7) Weepah Spring Wilderness; (8) Parsnip Peak Wilderness; (9) White Rock Range Wilderness; (10) Fortification Range Wilderness; (11) Far South Egans Wilderness; (12) Tunnel Spring Wilderness; (13) Big Rocks Wilderness; and (14) Mt. Irish Wilderness.

Directs the Secretary to file a map and legal description of each designated wilderness area with the House Committee on Resources and the Senate Committee on Energy and Natural Resources. Requires each map and legal description to be on file and be made available for public inspection.

Withdraws such wilderness areas from: (1) all forms of entry, appropriation, and disposal under the public land laws; (2) location, entry, and patent under the mining laws; and (3) operation of the mineral leasing and geothermal leasing laws.

(Sec. 204) Requires each designated wilderness area to be administered by the Secretary in accordance with the Wilderness Act. Permits the continuation of livestock grazing in designated wilderness areas.

Sets forth principles of statutory construction relating to water rights in designated wilderness areas. Requires the Secretary to follow Nevada law to obtain or hold any water rights in the designated wilderness areas not in existence as of the date of enactment of this Act.

Prohibits the President or any other federal officer, agent, or employee, after the date of enactment of this Act, from developing any new water resource facility within the wilderness areas.

(Sec. 205) Declares that Congress does not intend for the designation of wilderness to lead to the creation of protective perimeters or buffer zones around such wilderness. Permits nonwilderness activities outside the boundary of a wilderness zone even if such activities can be seen or heard from within the wilderness zone.

(Sec. 206) States that nothing in this title restricts or precludes military overflights, flight testing and evaluation, or the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the

wilderness areas.

(Sec. 207) States that nothing in this title shall be construed to diminish the rights of any Indian tribe or access to Federal land for tribal activities.

(Sec. 208) Declares that the following areas have been adequately studied for wilderness designation: (1) the Table Mountain Wilderness Study Area; (2) Evergreen A, B, and C Wilderness Study Areas; and (3) certain other lands in Lincoln County, Nevada.

(Sec. 209) Permits certain Federal and State wildlife management activities in the wilderness areas under a cooperative agreement between the Department of the Interior and the State of Nevada. Authorizes the Secretary to ban hunting, fishing, and trapping in the wilderness areas for public safety reasons.

(Sec. 210) Permits certain governmental wildfire management operations in the wilderness area.

(Sec. 211) Permits the installation and maintenance of essential hydrologic, meteorologic, or climatological collection devices in the wilderness areas

Title III: Utility Corridors - (Sec. 301) Directs the Secretary to: (1) establish on public land a 2,640-foot wide corridor for utilities in Lincoln and Clark Counties, Nevada; and (2) grant certain nonexclusive rights-of-way to the Southern Nevada Water Authority and the Lincoln County Water District for the construction and operation of a water conveyance system; (3) conduct a study of water resources in White Pine and Lincoln Counties, Nevada, and in adjacent areas in Utah. Authorizes funding for such water resources study.

Withdraws such utility corridors from: (1) all forms of entry, appropriation, and disposal under the public land laws; (2) location, entry, and patent under the mining laws; and (3) operation of the mineral leasing and geothermal leasing laws.

(Sec. 302) Directs the Secretary to relinquish and relocate rights-of-way and utility corridors located in Clark and Lincoln Counties in Nevada.

Title IV: Silver State Off-Highway Vehicle Trail - (Sec. 401) Designates certain trails in Lincoln County, Nevada, as the Silver State Off-Highway Vehicle Trail (Trail). Directs the Secretary to manage the Trail and complete a management plan for the Trail within three years after the enactment of this Act. Authorizes the Secretary to temporarily close or permanently reroute a portion of the Trail for public safety and other environmental reasons.

Title V: Open Space Parks - Directs the Secretary to convey to Lincoln County, Nevada, and the State of Nevada, certain public land for conservation of natural resources or for public parks.

Title VI: Jurisdiction Transfer - Transfers administrative jurisdiction over certain public land in Lincoln County, Nevada, from the BLM to the U. S. Fish and Wildlife Service.

Actions Timeline

- **Nov 30, 2004:** Signed by President.
- **Nov 30, 2004:** Became Public Law No: 108-424.
- **Nov 20, 2004:** Presented to President.
- **Nov 17, 2004:** Mr. Gibbons moved that the House suspend the rules and agree to the Senate amendment. (consideration: CR H9820-9826; text as House agreed to Senate amendment: CR H9820-9824)
- **Nov 17, 2004:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4593.
- **Nov 17, 2004:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote.
- **Nov 17, 2004:** On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote.
- **Nov 17, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 16, 2004:** Message on Senate action sent to the House.
- **Oct 10, 2004:** Measure laid before Senate by unanimous consent. (consideration: CR S11183)
- **Oct 10, 2004:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Oct 10, 2004:** Passed Senate with an amendment by Unanimous Consent.
- **Oct 5, 2004:** Received in the Senate, read twice.
- **Oct 4, 2004:** Reported (Amended) by the Committee on Resources. H. Rept. 108-720.
- **Oct 4, 2004:** Placed on the Union Calendar, Calendar No. 443.
- **Oct 4, 2004:** Mr. Gibbons moved to suspend the rules and pass the bill, as amended.
- **Oct 4, 2004:** Considered under suspension of the rules. (consideration: CR H7958-7965)
- **Oct 4, 2004:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4593.
- **Oct 4, 2004:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H7959-7964)
- **Oct 4, 2004:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H7959-7964)
- **Oct 4, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 22, 2004:** Subcommittee on National Parks, Recreation and Public Lands Discharged.
- **Sep 22, 2004:** Committee Consideration and Mark-up Session Held.
- **Sep 22, 2004:** Ordered to be Reported (Amended) by Voice Vote.
- **Jul 20, 2004:** Subcommittee Hearings Held.
- **Jun 22, 2004:** Referred to the Subcommittee on National Parks, Recreation and Public Lands.
- **Jun 22, 2004:** Executive Comment Requested from Interior.
- **Jun 16, 2004:** Introduced in House
- **Jun 16, 2004:** Referred to the House Committee on Resources.

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