
HR 2954

Public Access and Lands Improvement Act

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Public Lands and Natural Resources

Introduced: Aug 1, 2013

Current Status: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.

Latest Action: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources. (Feb 10, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/2954>

Sponsor

Name: Rep. Miller, Jeff [R-FL-1]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Energy and Natural Resources Committee	Senate	Referred To	Feb 10, 2014
Natural Resources Committee	House	Discharged from	Oct 30, 2013
Transportation and Infrastructure Committee	House	Bills of Interest - Exchange of Letters	Jul 18, 2014

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

Bill	Relationship	Last Action
113 S 1000	Related bill	Dec 18, 2014: Became Public Law No: 113-273.
113 S 182	Related bill	Dec 10, 2014: Placed on Senate Legislative Calendar under General Orders. Calendar No. 629.
113 S 258	Related bill	May 22, 2014: Placed on Senate Legislative Calendar under General Orders. Calendar No. 392.
113 HR 739	Related bill	May 19, 2014: Placed on the Union Calendar, Calendar No. 335.
113 S 404	Related bill	Apr 15, 2014: Became Public Law No: 113-99.
113 HR 3188	Related bill	Apr 1, 2014: Placed on the Union Calendar, Calendar No. 293.
113 HR 2095	Related bill	Feb 28, 2014: Placed on the Union Calendar, Calendar No. 274.
113 HR 3492	Related bill	Feb 28, 2014: Placed on the Union Calendar, Calendar No. 275.
113 S 2018	Related bill	Feb 12, 2014: Read twice and referred to the Committee on Energy and Natural Resources.
113 HRES 472	Related bill	Feb 5, 2014: Motion to reconsider laid on the table Agreed to without objection.
113 S 1983	Related bill	Feb 3, 2014: Read twice and referred to the Committee on Energy and Natural Resources.
113 HR 908	Related bill	Jan 23, 2014: Placed on the Union Calendar, Calendar No. 244.
113 HR 585	Related bill	Dec 16, 2013: Placed on the Union Calendar, Calendar No. 216.
113 HR 1170	Related bill	Dec 16, 2013: Placed on the Union Calendar, Calendar No. 215.
113 HR 1168	Related bill	Sep 20, 2013: Placed on the Union Calendar, Calendar No. 160.
113 S 486	Related bill	Sep 10, 2013: Placed on Senate Legislative Calendar under General Orders. Calendar No. 180.
113 HR 657	Related bill	Jul 9, 2013: Placed on the Union Calendar, Calendar No. 105.
113 HR 819	Related bill	Jul 9, 2013: Placed on the Union Calendar, Calendar No. 106.

Public Access and Lands Improvement Act - **Title I: Santa Rosa Island Title Fairness and Land Preservation Act** - Santa Rosa Island Title Fairness and Land Preservation Act - (Sec. 102) Authorizes Escambia County, Florida, at its discretion, to convey or dispose of all of its interest in any part of the property on Santa Rosa Island that was conveyed to it by the federal government pursuant to a specified Act and deed to any person or entity, free from any restriction on conveyance or reconveyance in such Act or deed.

Prohibits persons or entities holding a leasehold interest in such property from being required to involuntarily accept a fee interest in lieu of their leasehold interest.

Requires Escambia County within two years of enactment of this Act, to convey to Santa Rosa County, Florida, all interest held in any part of the property that falls within the jurisdictional boundaries of such county. Bars Santa Rosa County from being required to pay any sum for such property other than the actual costs associated with such conveyance.

Permits Santa Rosa County or any other person to which property is conveyed under this title to reconvey such property or any part of it.

Declares that leaseholders or owners of all properties under this title are free to pursue incorporation, annexation, or any other governmental status so long as all other legal conditions required for doing so are followed.

Declares further that each such property is under the jurisdiction of the county and any other local government entity in which it is located.

Requires that any proceeds from the conveyance of any property under this title by Escambia County or Santa Rosa County, other than direct and incidental costs associated with such conveyance, revert as windfall profits to the United States.

Directs Escambia County and Santa Rosa County to preserve in perpetuity those areas on Santa Rosa Island currently dedicated to conservation, preservation, the public, recreation, access, and public parking.

States that Escambia County and Santa Rosa County shall have no deadline or requirement to make any conveyance or reconveyance of any property defined under this title other than the conveyance it requires. Authorizes each county to establish conveyance or reconveyance terms, consistent with the conditions of this Act title and state law.

Title II: Anchorage Land Conveyance Act - Anchorage Land Conveyance Act of 2014 - (Sec. 203) Directs the Secretary of the Interior (Secretary in this Act unless otherwise specified) to convey, without consideration, to the city of Anchorage, Alaska, the reversionary interests of the United States in specified parcels of non-federal land in order to unencumber the title to such land to enable the economic development of such land.

Requires the city to pay all costs associated with such conveyance.

Title III: Fernley Economic Self-Determination Act - (Sec. 302) Directs the Secretary, after receiving an offer from the city of Fernley, Nevada, to purchase certain federal land, and acting through the Bureau of Land Management (BLM) and the Bureau of Reclamation, to convey to the city all interest of the United States in such land in exchange for consideration in an amount equal to the land's fair market value.

Permits the city and the Bureau of Reclamation to retain easements or rights-of-way on such federal land, including easements or rights-of-way necessary to carry out the operation and maintenance of the Truckee Canal or the Newlands Project.

Requires the city to pay or reimburse the Secretary, as appropriate, for reasonable transaction and administrative personnel costs associated with such conveyance.

Declares that any conveyances under this title shall not be considered a major federal action for purposes of an environmental impact statement required by the National Environmental Policy Act of 1969 (NEPA).

(Sec. 303) Releases the United States from all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product), solid waste, mine materials, or mining related features existing on the federal land.

(Sec. 304) Withdraws the federal land from: (1) entry, appropriation, or disposal under the public land laws; (2) location, entry, and patent under the mining laws; and (3) disposition under the mineral leasing, mineral materials, and geothermal leasing laws.

Title IV: Land Disposal Transparency and Efficiency Act - Land Disposal Transparency and Efficiency Act - (Sec. 401) Bars any land or interests in land from being added to the inventory of lands and interests in land administered by the BLM until a centralized database of all lands identified as suitable for disposal under BLM jurisdiction is easily accessible to the public on a BLM website.

Requires the database to be updated to reflect changes in the status of lands identified for disposal under BLM administrative jurisdiction.

Title V: Preserving Access to Cape Hatteras National Seashore Recreational Area Act - Preserving Access to Cape Hatteras National Seashore Recreational Area Act - (Sec. 502) Requires the Cape Hatteras National Seashore Recreational Area in North Carolina to be managed in accordance with the Interim Protected Species Management Strategy/Environmental Assessment issued by the National Park Service (NPS) on June 13, 2007, for the Recreational Area until the Secretary issues a new final rule that meets the additional restrictions specified below.

Bars the imposition of any additional restrictions on pedestrian or motorized vehicular access to any part of the Recreation Area for species protection beyond those in the Interim Management Strategy, other than as specifically authorized pursuant to this title.

(Sec. 503) Allows the Secretary if, based on peer-reviewed science and after public comment, it is determined that additional restrictions on access to a part of the Recreation Area are necessary to protect endangered species, to only restrict pedestrian and vehicular access for recreational activities for the shortest possible time and on the smallest possible portions of such area.

(Sec. 504) Prohibits the final rule titled "Special Regulations, Areas of the National Park System, Cape Hatteras National Seashore--Off-Road Vehicle Management" from having any force or effect.

Invalidates the April 30, 2008, consent decree filed in the United States District Court for the Eastern District of North Carolina regarding off-road vehicle use at the Seashore.

Title VI: Green Mountain Lookout Heritage Protection Act - Green Mountain Lookout Heritage Protection Act - (Sec.

602) Amends the Washington State Wilderness Act of 1984, with respect to certain lands in the Mount Baker-Snoqualmie and Wenatchee National Forests in the state of Washington designated as part of the Glacier Peak Wilderness, to specifically allow the operation and maintenance of Green Mountain Lookout.

(Sec. 603) Prohibits the Secretary of Agriculture (USDA), through the Forest Service, from moving the Lookout from its current location on Green Mountain in the Mount Baker-Snoqualmie National Forest unless the Secretary determines that its move is necessary to preserve the Lookout or to ensure the safety of individuals on or around Green Mountain. Requires the Secretary, if such a determination is made, to move the Lookout to a location outside of the lands described in this title, above.

Title VII: River Paddling Protection Act - River Paddling Protection Act - (Sec. 702) Makes the rivers and streams of Yellowstone National Park and Grand Teton National Park in Wyoming open to hand-propelled vessels. Declares specified regulations to have no force or effect with regard to the closing of rivers and streams of such Parks to such vessels.

Requires the Fish and Wildlife Service to coordinate any recreational use of hand-propelled vessels on the Gros Ventre River within the National Elk Refuge in Wyoming with Grand Teton National Park to ensure that use is consistent with the requirements of the National Wildlife Refuge Administration Act.

Title VIII: Grazing Improvement Act - Grazing Improvement Act - (Sec. 802) Amends the Federal Land Policy and Management Act of 1976 (the Act in this title) to double from 10 to 20 years the period of a term for grazing permits and leases for domestic livestock grazing on public lands or lands within national forests in 16 contiguous western states.

Permits only applicants, permittees, and lessees whose interest in grazing livestock is directly affected by a final grazing decision concerning renewal, transfer or reissuance of a grazing permit or lease to appeal the decision to an administrative law judge or an appeal officer as applicable.

Requires any person, other than a directly affected party, challenging an action of the Secretary concerned regarding a final grazing decision in federal court who is not a prevailing party to pay to the prevailing parties (including a directly affected party who intervenes in such suit) fees and other expenses incurred by those parties in connection with the challenge, unless the court finds that the position of such person was substantially justified. (Defines "Secretary concerned" as the Secretary of Agriculture or the Secretary of the Interior concerning lands under their respective jurisdictions.)

(Sec. 803) Directs that grazing permits or leases issued by the Secretary of the Interior respecting lands under the jurisdiction of the Department of the Interior and grazing permits issued by the Secretary of Agriculture respecting National Forest System lands that expire, are transferred, or are waived after this Act's enactment be renewed or reissued, as appropriate, under the Act, the Granger-Thye Act, the Bankhead-Jones Farm Tenant Act, or the California Desert Protection Act of 1994.

Excludes the renewal, reissuance, or transfer of a grazing permit or lease by the Secretary concerned from the NEPA requirement to prepare an environmental analysis if: (1) such decision continues to renew, reissue, or transfer current grazing management of the allotment; (2) monitoring indicates that such management meets objectives contained in the applicable land use or resource management plan of the allotment; or (3) the decision is consistent with the policy of the Department of the Interior or USDA regarding extraordinary circumstances.

Gives the Secretary concerned the sole discretion to determine the priority and timing for completing each required

environmental reviews regarding any grazing allotment, permit, or lease based on the environmental significance of such authorization and available funding.

Makes NEPA inapplicable to domestic livestock crossing and trailing authorizations, transfers of grazing preference, and range improvements.

Requires any application for temporary trailing or crossing that has been submitted in a timely manner (or at least 30 days before the anticipated trailing or crossing) to be granted, modified, or denied at least 15 days before the date of the requested crossing or trailing.

Declares that temporary trailing or crossing authorizations across lands administered by the BLM or the Forest Service shall not be subject to protest or appeal except by the applicant or an affected permittee or lessee.

Title IX: Rim Fire Emergency Salvage Act - Rim Fire Emergency Salvage Act - (Sec. 902) Directs the Secretary of Agriculture, as part of the restoration and rehabilitation activities undertaken on the lands within the Stanislaus National Forest adversely impacted by the 2013 Rim Fire in California, to conduct a timber salvage and restoration pilot project on burned NFS land within the Rim Fire perimeter.

Requires the pilot project to be conducted in the manner provided in the proposed alternative in the draft environmental impact statement noticed in the Federal Register on December 6, 2013, for Rim Fire recovery.

Deems the pilot project and any activities conducted under it to be in compliance with: (1) NEPA, (2) the National Forest Management Act of 1976 with respect to timber sales on NFS lands, (3) the Forest and Rangeland Renewable Resources Planning Act of 1974, (4) the Federal Land Policy and Management Act of 1976, and (5) the Endangered Species Act of 1973.

Declares that the pilot project and activities under it are not subject to: (1) administrative review, (2) judicial review by any U.S. court, or (3) a temporary restraining order or preliminary injunction based on environmental impacts in a case for which a final decision has not been issued.

(Sec. 903) Expresses the sense of Congress that the Secretary of Agriculture, respecting NFS lands, and the Secretary of the Interior, respecting BLM land, should use existing authorities available to them to retain revenues (other than those required to be deposited in the Treasury's general fund) generated by salvage sales conducted in response to catastrophic wild fires on such land to cover the cost of restoration projects on such land.

Title X: Chesapeake Bay Accountability and Recovery Act - Chesapeake Bay Accountability and Recovery Act of 2014 - (Sec. 1002) Requires the Director of the Office of Management and Budget (OMB) to submit to Congress a financial report containing: (1) an interagency crosscut budget for restoration activities that protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed; (2) an accounting of funds received and obligated by all federal agencies for restoration activities; (3) an accounting from each state of all funds received and obligated from a federal agency for restoration activities; and (4) a description of each of the proposed federal and state restoration activities. Requires: (1) such report to describe only federal restoration activities that have funding amounts of at least \$100,000 and state restoration activities that have funding amounts of at least \$50,000; and (2) the Director to submit the report no later than 30 days after the submission of the President's annual budget to Congress.

(Sec. 1003) Requires the Administrator of the Environmental Protection Agency (EPA) to develop and update biennially a

plan to provide technical and financial assistance to Chesapeake Bay states to employ adaptive management in carrying out restoration activities in the Chesapeake Bay watershed.

Requires the plan to include: (1) specific and measurable objectives to improve water quality, habitat, and fisheries; (2) a process for stakeholder participation; (3) monitoring, modeling, experimentation, and other research and evaluation technical assistance requested by such states; (4) identification of restoration activities planned to attain the state's objectives; (5) identification of federal restoration activities that could help the state to attain its objectives; (6) a process for modification of state and federal restoration activities that have not attained or will not attain such objectives; and (7) a process for integrating and prioritizing state and federal restoration activities and programs to which adaptive management can be applied.

(Sec. 1004) Requires an Independent Evaluator for the Chesapeake Bay watershed, appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council, to review biennially restoration activities and the use of adaptive management in them.

Title XI: Alaska Native Veteran Allotment - (Sec. 1102) Directs the Secretary of the Interior to approve the Alaska Native Veteran Allotment application numbered AA-084021-B and to issue the applicant a patent for the 80 acres of federal land identified as Lot 2.

Limits the patent to surface rights only and subjects it to the terms and conditions of any certificate issued under the Alaska Native Claims Settlement Act (ANCSA) with respect to the conveyance of certain federal lands in Alaska to certain Alaska Native veterans, including those providing that: (1) the patent is subject to valid existing rights, including any U.S. right to income derived from a lease, license, permit, right-of-way, or easement on the federal land; and (2) the United States shall reserve an interest in deposits of oil, gas, and coal on the land, including the right to explore, mine, and remove the minerals on parts of the land that are prospectively valuable for development.

Actions Timeline

- **Feb 10, 2014:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Feb 6, 2014:** Considered under the provisions of rule H. Res. 472. (consideration: CR H1662-1677)
- **Feb 6, 2014:** The resolution provides for consideration of H.R. 2954 and H.R. 3964. The resolution provides one hour of general debate for each bill. In each instance, the resolution makes in order only those amendments printed in the Rules Committee Report 113-340. The resolution provides one motion to recommit with or without instructions.
- **Feb 6, 2014:** The Speaker designated the Honorable Jeff Denham to act as Chairman of the Committee.
- **Feb 6, 2014:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 472 and Rule XVIII.
- **Feb 6, 2014:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2954.
- **Feb 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 472, the Committee of the Whole proceeded with 10 minutes of debate on the Grijalva Part A amendment No. 1.
- **Feb 6, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Grijalva Part A amendment No. 1, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. Grijalva demanded a recorded vote, and the Chair postponed further proceedings on adoption of the amendment until later in the legislative day.
- **Feb 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 472, the Committee of the Whole proceeded with 10 minutes of debate on the Lummis Part A amendment No. 2.
- **Feb 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 472, the Committee of the Whole proceeded with 10 minutes of debate on the Labrador Part A amendment No. 3.
- **Feb 6, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Labrador Part A amendment No. 3, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. Hastings (WA) demanded a recorded vote, and the Chair postponed further proceedings on adoption of the amendment until later in the legislative day.
- **Feb 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 472, the Committee of the Whole proceeded with 10 minutes of debate on the McClintock Part A amendment No. 4.
- **Feb 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 472, the Committee of the Whole proceeded with 10 minutes of debate on the Young (AK) Part A amendment No. 5.
- **Feb 6, 2014:** Mr. Hastings (WA) moved to rise.
- **Feb 6, 2014:** On motion to rise Agreed to by voice vote.
- **Feb 6, 2014:** Committee of the Whole House on the state of the Union rises leaving H.R. 2954 as unfinished business.
- **Feb 6, 2014:** Considered as unfinished business. (consideration: CR H1677-1681)
- **Feb 6, 2014:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Feb 6, 2014:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was on adoption of amendments, which had been debated earlier and on which further proceedings had been postponed.
- **Feb 6, 2014:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2954.
- **Feb 6, 2014:** The previous question was ordered pursuant to the rule. (consideration: CR H1679)
- **Feb 6, 2014:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text of amendment in the nature of a substitute: CR H1668-1672)
- **Feb 6, 2014:** Mr. Barber moved to recommit with instructions to Natural Resources. (consideration: CR H1679-1680; text: CR H1679)
- **Feb 6, 2014:** DEBATE - The House proceeded with 10 minutes of debate on the Barber motion to recommit with instructions. Pending the reservation of a point of order. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to authorize payments to counties pursuant to the Payment in Lieu of Taxes (PILT) Program for fiscal years 2015 through 2020. The amendment would also authorize \$50,000,000 to the FLAME Fund for wildfire suppression on public lands and \$50,000,000 for hazardous fuels reduction on public lands. The reservation of a point of order was subsequently withdrawn.
- **Feb 6, 2014:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H1680)
- **Feb 6, 2014:** On motion to recommit with instructions Failed by the Yeas and Nays: 194 - 222 (Roll no. 53).

- **Feb 6, 2014:** Passed/agreed to in House: On passage Passed by recorded vote: 220 - 194 (Roll no. 54).
- **Feb 6, 2014:** On passage Passed by recorded vote: 220 - 194 (Roll no. 54).
- **Feb 6, 2014:** Motion to reconsider laid on the table Agreed to without objection.
- **Feb 6, 2014:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 2954.
- **Feb 4, 2014:** Rules Committee Resolution H. Res. 472 Reported to House. The resolution provides for consideration of H.R. 2954 and H.R. 3964. The resolution provides one hour of general debate for each bill. In each instance, the resolution makes in order only those amendments printed in the Rules Committee Report 113-340. The resolution provides one motion to recommit with or without instructions.
- **Dec 16, 2013:** Reported by the Committee on Natural Resources. H. Rept. 113-296.
- **Dec 16, 2013:** Placed on the Union Calendar, Calendar No. 214.
- **Oct 30, 2013:** Subcommittee on Public Lands and Environmental Regulation Discharged.
- **Oct 30, 2013:** Committee Consideration and Mark-up Session Held.
- **Oct 30, 2013:** Ordered to be Reported by Voice Vote.
- **Oct 3, 2013:** Subcommittee Hearings Held.
- **Aug 8, 2013:** Referred to the Subcommittee on Public Lands and Environmental Regulation.
- **Aug 1, 2013:** Introduced in House
- **Aug 1, 2013:** Referred to the House Committee on Natural Resources.