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Folder Title: 11/06/2002 [H.R. 5200] [771585]

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Letter	[Views of the Department of the Interior on H.R. 5200] - To: Honorable Mitchell E. Daniels, Jr. - From: Rebecca W. Watson	7	10/29/2002	P5;

COLLECTION TITLE:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

11/06/2002 [H.R. 5200] [771585]

FRC ID:

6362

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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- B. Closed by statute or by the agency which originated the document.
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- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

LAW_M

771585

FG006-01

Barcode Scanning Sheet



Collection Code: **SECLOG**

Staff Name:

Document Date:

Correspondent: **TIM SAUNDERS**

Subject/Description: **OVERSIZE ATTACHMENT # 9469 NARA # 9360 BOX 5
FOLDER 6A BILL FILE RECEIVED FROM THE OFFICE OF
THE EXECUTIVE CLERK - NOV 05 02 ENROLLED BILL H.R.
5200 - CLARK COUNTY CONSERVATION OF PUBLIC
LAND AND NATURAL RESOURCES ACT OF 2002**



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

THE DIRECTOR

THE PRESIDENT HAS SEEN
11-6-02

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
Natural Resources Act of 2002
Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)

Approval

Department of Agriculture (USDA)

Approval

Department of Justice

No objection (Informally)

Department of Transportation

No objection (Informally)

Council on Environmental Quality

No objection (Informally)

Environmental Protection Agency

No comment (Informally)

Discussion

Clark County, Nevada, which includes Las Vegas, is the fastest growing metropolitan area in the United States. According to Interior, the Bureau of Land Management (BLM) manages 66 percent of the 4.2 million acres of land within the county. Congress enacted the Southern Nevada Public Land Management Act (SNPLMA) in 1998 to provide a statutory framework for the orderly disposal of select public lands, the acquisition of environmentally sensitive lands, and the sharing of the proceeds from land sales.

H.R. 5200 addresses a number of land and land management issues in Clark County, Nevada, that were not addressed in SNPLMA. Major provisions are outlined below; additional detail is provided in the Interior Department views letter.

Wilderness Areas. H.R. 5200 would designate 17 wilderness areas and expand one preexisting wilderness area, which altogether encompass about 450,000 acres. Congressionally-designated wilderness areas consist of Federal lands that retain their primeval character and are without permanent improvements or human habitation.

H.R. 5200 provides for certain activities (subject to various terms and conditions) in the wilderness areas. These activities include: (1) grazing of livestock in specified areas; (2) military overflights; (3) access by Native Americans for traditional cultural and religious purposes; (4) continued conduct of activities occurring outside a wilderness area that can be seen or heard from within an area; (5) continued State of Nevada jurisdiction over fish and wildlife management, including the regulation of hunting, fishing, and trapping; (6) management activities to maintain or restore fish and wildlife populations where consistent with relevant wilderness management plans; (7) wildfire management operations; (8) installation and maintenance of hydrologic, meteorological, or climatological collection devices if they are essential to flood warning, flood control, and water reservoir operation activities; and (9) other prescribed existing activities.

H.R. 5200 is not intended to: (1) constitute a reservation of any water or water rights; (2) affect the State of Nevada's water rights; (3) establish a precedent with regard to any future protection area designations; or (4) affect existing interstate water compacts or apportionment decrees between Nevada and other States. The enrolled bill directs DOI to follow Nevada's water laws with respect to any new water rights within the wilderness areas, and it withdraws the areas from public land and mining laws, subject to valid existing rights.

Release of Existing Wilderness Study Areas. H.R. 5200 would release an estimated 225,000 acres in specified Wilderness Study Areas from protective status. (The study areas would no longer be managed as if they were wilderness areas, allowing a range of possible uses of the land in accord with existing land management plans.) In one of the released areas, a 500-foot wide right-of-way is granted to the State-regulated sponsor of the Centennial Project for the construction and maintenance of two 500-kilovolt electrical transmission lines.

DOI advises that "[b]y both designating wilderness and releasing areas from wilderness study status, the bill resolves many land use issues in Clark County." According to Interior, the wilderness provisions of H.R. 5200 provide "an important template for future resolution of wilderness questions which exist in so many states."

Red Rock Canyon National Conservation Area (NCA) Land Exchange. A National Conservation Area, such as the Red Rock NCA, is an area identified by Congress as having unique natural resources in need of preservation. The Howard Hughes Corporation owns certain high-ground land on the edge of the NCA. H.R. 5200 provides that if the Corporation offers to convey its 1,082 acres of land on the edge of the conservation area, the Secretary of the Interior shall exchange about 998 acres of public land in the Las Vegas Valley. Further, Interior is directed to convey approximately 1,221 acres of land to Clark County, Nevada, for use as a park. The conveyances and management of the lands would be subject to certain terms and conditions, such as a land appraisal, and a process to equalize the value of the lands exchanged with the Corporation. The boundaries of the NCA would be adjusted to reflect the inclusion of any new land.

Sloan Canyon National Conservation Area. H.R. 5200 would establish the Sloan Canyon NCA to be managed by BLM. It encompasses about 48,438 acres and incorporates another wilderness area within its boundaries.

H.R. 5200 would require a comprehensive management plan for the NCA to be developed in consultation with the State, the city of Henderson, the County, and any other interested persons not later than 3 years after enactment. Subject to valid existing rights, Interior is to withdraw from certain uses under public land and mining laws all Federal lands within the NCA. Hunting, trapping, and fishing would be allowed in the area under prescribed conditions. Within the NCA, motor vehicles generally would be restricted to designated roads and trails. No buffer zones may be established around the NCA.

H.R. 5200 directs BLM to sell to the highest qualified bidder about 500 acres of public land immediately east of the NCA within one year of enactment. Proceeds from the sale would be divided as follows: (1) 5% to the State of Nevada for use in the general education program; and (2) 95% to an account established in the SNPLMA with amounts to be used for designated conservation-related activities. The enrolled bill also directs the Secretary to convey to the city of Henderson the public right-of-way requested for a rural roadway and public trail within 180 days of enactment.

Humboldt Project Conveyance. H.R. 5200 would direct the Secretary of the Interior to transfer all right, title, and interest in the lands and facilities of the Humboldt Project in Nevada, to the Pershing County Water Conservation District, the State of Nevada, and Pershing and Lander counties. As a condition of conveyance, the receiving entity would pay the Federal government the net present value of miscellaneous receipts associated with the lands and facilities received, and fair market value for any associated withdrawn land to be conveyed. H.R. 5200 requires the title transfer to be consistent with the terms and conditions of several existing agreements. If the transfer is not completed within 18 months after enactment of the bill, the Secretary would be required to submit a report to specified Congressional committees describing the current status. Prior to the transfer of title, Interior must complete any actions required under the National Environmental Policy Act, the Endangered Species Act, and all other applicable laws.

Amendments to the Southern Nevada Public Land Management Act (SNPLMA). H.R. 5200 would expand by about 22,000 acres an area identified for disposal in the SNPLMA. Interior advises that "the lands identified for disposal about the growing [Las Vegas Valley] metropolis . . . and are well suited to be moved out of Federal ownership." According to provisions in the SNPLMA, 85% of the proceeds of the sales of these disposal lands are deposited into a special account, which may be used for specified purposes such as the acquisition of environmentally sensitive land in Nevada. H.R. 5200 would allow DOI to allocate up to 10 percent of the funds to local and regional government entities for the development of parks, trails, and natural areas on Federal lands in Clark County.

Ivanpah Corridor. H.R. 5200 requires Interior to manage a specified corridor located along Interstate Route 15 south of the Las Vegas valley to the Nevada/California border. This corridor is expected to be the route for the proposed Ivanpah Airport, which is still undergoing required environmental and other reviews. The current administrative withdrawal from mineral entry along this corridor is terminated.

The enrolled bill requires Interior: (1) to establish a 2,640 foot-wide transportation and utility corridor along Interstate Route 15, and (2) upon the request by Clark County and subject to valid existing rights, to transfer all right, title, and interest to approximately 16,910 BLM-managed acres to the County to establish an Ivanpah Airport noise compatibility area. However, these provisions shall not be effective until construction of the Ivanpah airport is approved in accordance with existing law. Subject to certain terms and conditions, these lands are withdrawn under mining laws.

The enrolled bill would require the County to manage the land according to Federal laws governing land impacted by airport operations. Proceeds from the sale or lease (at fair market value) by the County of the lands in the noise compatibility area are to be allocated as follows: (a) 85% to the special account established in the SNPLMA; (b) 5% to the State of Nevada for use in the general education program; and (c) 10% to the Clark County Department of Aviation for airport development and noise compatibility programs.

H.R. 5200 would temporarily withdraw, for a period of 5 years, all Areas of Critical Environmental Concern designated by the 1998 Las Vegas Resource Management Plan from mining laws. Within 4 and 5 years of enactment of H.R. 5200, the Secretary and the U.S. Geological Survey respectively would be required to make a final decision on each of the temporary withdrawals and would be required to complete a mineral report for each of the areas temporarily withdrawn.

Public Interest Conveyances. H.R. 5200 directs the following land conveyances at no cost: (1) about 176 acres of BLM land to the Las Vegas Metropolitan Police Department for use as a shooting range; (2) about 516 acres of BLM land to the City of Henderson for use as a campus for the Nevada State College at Henderson, subject to certain conditions; and (3) about 30 acres of Federal land to the City of Las Vegas to be used for affordable housing purposes. Reversionary clauses for the last two conveyances require these lands to return to Federal ownership in the event they are not used for the prescribed purposes.

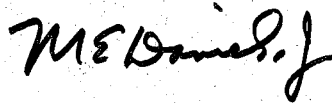
The enrolled bill authorizes the conveyance of about 115 acres from the Clark County Department of Aviation to the University of Nevada at Las Vegas Research Foundation for the development of a technology research center. H.R. 5200 includes conditions if the Foundation sells or leases the land. This land, which had been Federal land, was transferred to the Aviation Department under the SNPLMA. Interior is also directed to sell to the highest bidder a parcel consisting of approximately 360 acres of public lands adjacent to the SNPLMA disposal boundary. The proceeds from the sale would be deposited into the SNPLMA special account.

Desert National Wildlife Refuge. H.R. 5200 would require the Secretary to transfer administrative jurisdiction over approximately 26,433 acres of specified BLM lands to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Refuge. These lands were previously designated as wilderness study areas; under H.R. 5200, they would be managed in accordance with the National Wildlife Refuge System Improvement Act of 1997 and existing cooperative conservation agreements.

Conclusion and Recommendations

DOI recommends approval of H.R. 5200, advising that the enrolled bill "is a significant and complex bill that addresses a wide array of public land issues in Clark County . . . [It] moves the debate on public land issues forward in Clark County and resolves many of those issues."

We join DOI and USDA in recommending approval of H.R. 5200, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
the twenty-third day of January, two thousand and two*

An Act

To establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clark County Conservation of Public Land and Natural Resources Act of 2002".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.
- Sec. 4. Authorization of appropriations.

TITLE I—RED ROCK CANYON NATIONAL CONSERVATION AREA LAND EXCHANGE AND BOUNDARY ADJUSTMENT

- Sec. 101. Short title.
- Sec. 102. Definitions.
- Sec. 103. Findings and purposes.
- Sec. 104. Red Rock Canyon land exchange.
- Sec. 105. Status and management of lands.
- Sec. 106. General provisions.

TITLE II—WILDERNESS AREAS

- Sec. 201. Findings.
- Sec. 202. Additions to National Wilderness Preservation System.
- Sec. 203. Administration.
- Sec. 204. Adjacent management.
- Sec. 205. Military overflights.
- Sec. 206. Native American cultural and religious uses.
- Sec. 207. Release of wilderness study areas.
- Sec. 208. Wildlife management.
- Sec. 209. Wildfire management.
- Sec. 210. Climatological data collection.
- Sec. 211. National Park Service lands.

TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION

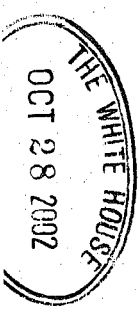
- Sec. 301. Transfer of administrative jurisdiction to the United States Fish and Wildlife Service.
- Sec. 302. Transfer of administrative jurisdiction to National Park Service.

TITLE IV—AMENDMENTS TO THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT

- Sec. 401. Disposal and exchange.

TITLE V—IVANPAH CORRIDOR

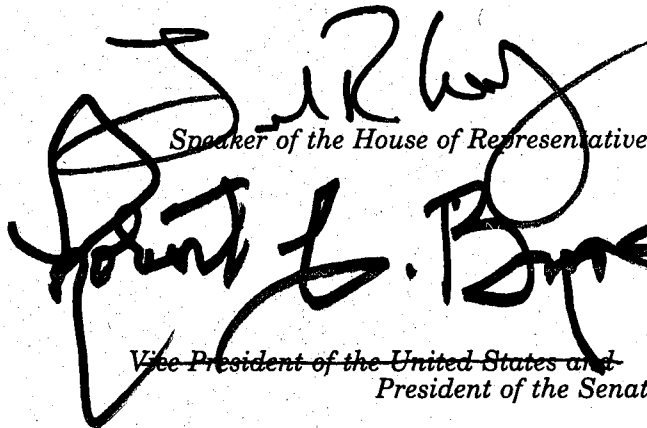
- Sec. 501. Interstate Route 15 south corridor.
- Sec. 502. Area of Critical Environmental Concern segregation.

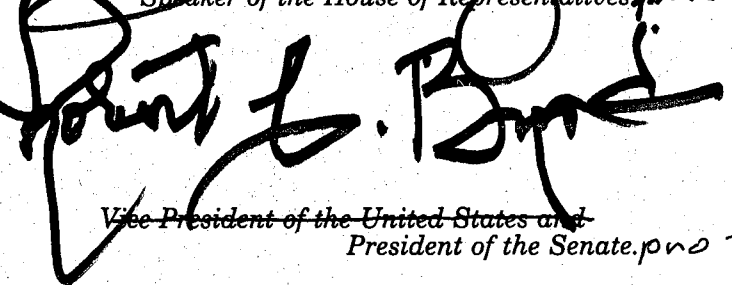


H. R. 5200—26

(2) in subsection (f)(2)(B), by adding at the end the following:

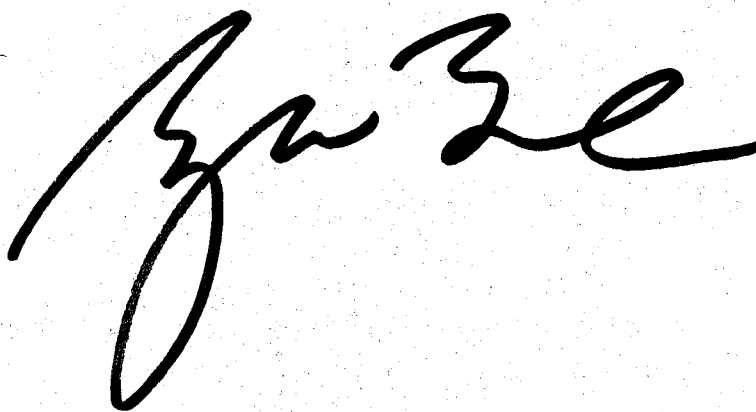
"(v) Sec. 7."


Speaker of the House of Representatives *pro tempore*.

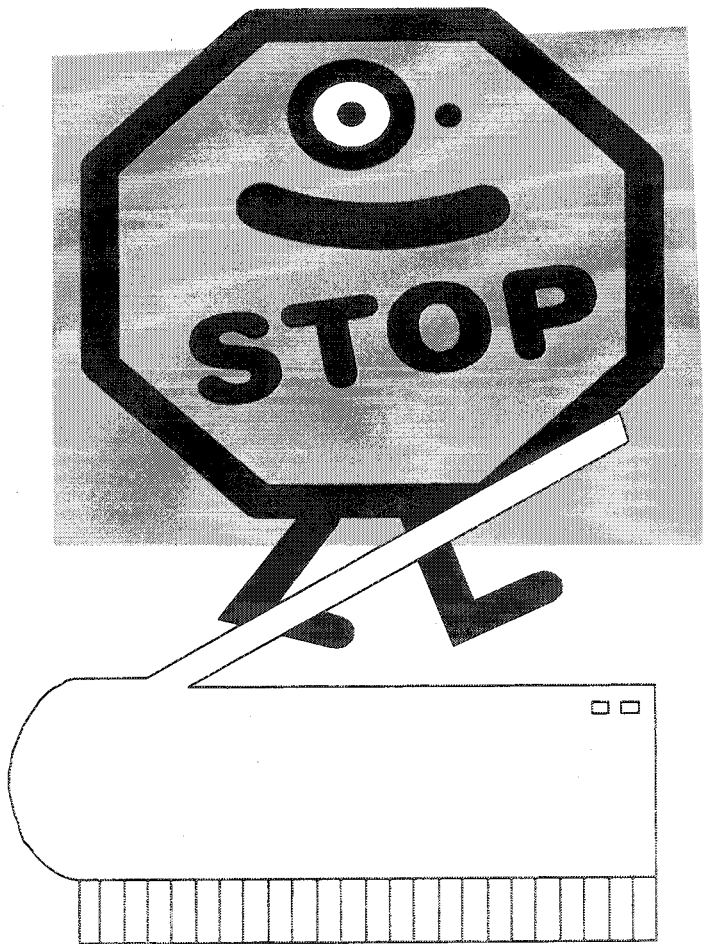

Vice President of the United States and
President of the Senate *pro tempore*.

APPROVED

NOV - 6 2002



ORM
Scanning insert sheet



Remainder of case not scanned

WHITE HOUSE STAFFING MEMORANDUMDate: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☒	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

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MEMORANDUM FOR THE PRESIDENT

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Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior (DOI)	Approval
Department of Agriculture (USDA)	Approval
Department of Justice	No objection (Informally)
Department of Transportation	No objection (Informally)
Council on Environmental Quality	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

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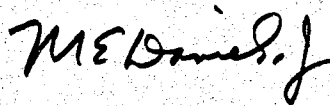
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Conclusion and Recommendations

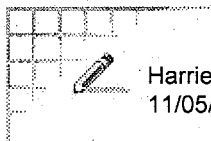
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Mitchell E. Daniels, Jr.
Director

Enclosures



Harriet Miers
11/05/2002 10:24:44 AM

Record Type: Record

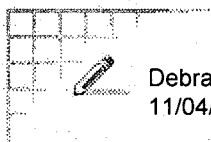
To: Stuart W. Bowen/WHO/EOP@EOP, Carolyn E. Cleveland/WHO/EOP@EOP, Debra D. Bird/WHO/EOP@EOP, Barbara A. Barclay/WHO/EOP@EOP

cc:

Subject: H.R. 5200

Please remind me. Thanks.

----- Forwarded by Harriet Miers/WHO/EOP on 11/05/2002 09:23 AM -----



Debra D. Bird
11/04/2002 03:48:39 PM

Record Type: Record

To: Harriet Miers/WHO/EOP@EOP

cc: Timothy E. Flanigan/WHO/EOP@EOP, Charlotte L. Montiel/WHO/EOP@EOP, Carolyn E. Cleveland/WHO/EOP@EOP

Subject: H.R. 5200

Tim Flanigan is asking if we know when the President will sign H.R. 5200. An Act to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes. Harriet, the last day for action on this bill is Friday, November 8.

Thanks.

Please put with Bill

Reminders

Bills Received at the White House

Date received and
notification to OMB: **10/28/2002**
Last day for action: **11/8/2002**

H.R.5200

Official Title

An Act to establish wilderness areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.

518765

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT <i>NO OBS</i>	☒	☐	HUBBARD <i>OK</i>	☒	☐
CARD <i>defer to Josh</i>	☒	☐	IRASTORZA	☐	☐
BARTLETT <i>N/C</i>	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY <i>NC</i>	☒	☐
BOLTEN <i>✓</i>	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☒	☐
CALIO <i>ok</i>	☒	☐	RICE	☒	☐
CONNAUGHTON <i>N/C</i>	☒	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☒	☐	SPELLINGS <i>OK</i>	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES <i>NC</i>	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

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PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
Natural Resources Act of 2002
Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)

Approval

Department of Agriculture (USDA)

Approval

Department of Justice

No objection (Informally)

Department of Transportation

No objection (Informally)

Council on Environmental Quality

No objection (Informally)

Environmental Protection Agency

No comment (Informally)

Discussion

Clark County, Nevada, which includes Las Vegas, is the fastest growing metropolitan area in the United States. According to Interior, the Bureau of Land Management (BLM) manages 66 percent of the 4.2 million acres of land within the county. Congress enacted the Southern Nevada Public Land Management Act (SNPLMA) in 1998 to provide a statutory framework for the orderly disposal of select public lands, the acquisition of environmentally sensitive lands, and the sharing of the proceeds from land sales.

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H.R. 5200 provides for certain activities (subject to various terms and conditions) in the wilderness areas. These activities include: (1) grazing of livestock in specified areas; (2) military overflights; (3) access by Native Americans for traditional cultural and religious purposes; (4) continued conduct of activities occurring outside a wilderness area that can be seen or heard from within an area; (5) continued State of Nevada jurisdiction over fish and wildlife management, including the regulation of hunting, fishing, and trapping; (6) management activities to maintain or restore fish and wildlife populations where consistent with relevant wilderness management plans; (7) wildfire management operations; (8) installation and maintenance of hydrologic, meteorological, or climatological collection devices if they are essential to flood warning, flood control, and water reservoir operation activities; and (9) other prescribed existing activities.

H.R. 5200 is not intended to: (1) constitute a reservation of any water or water rights; (2) affect the State of Nevada's water rights; (3) establish a precedent with regard to any future protection area designations; or (4) affect existing interstate water compacts or apportionment decrees between Nevada and other States. The enrolled bill directs DOI to follow Nevada's water laws with respect to any new water rights within the wilderness areas, and it withdraws the areas from public land and mining laws, subject to valid existing rights.

Release of Existing Wilderness Study Areas. H.R. 5200 would release an estimated 225,000 acres in specified Wilderness Study Areas from protective status. (The study areas would no longer be managed as if they were wilderness areas, allowing a range of possible uses of the land in accord with existing land management plans.) In one of the released areas, a 500-foot wide right-of-way is granted to the State-regulated sponsor of the Centennial Project for the construction and maintenance of two 500-kilovolt electrical transmission lines.

DOI advises that "[b]y both designating wilderness and releasing areas from wilderness study status, the bill resolves many land use issues in Clark County." According to Interior, the wilderness provisions of H.R. 5200 provide "an important template for future resolution of wilderness questions which exist in so many states."

Red Rock Canyon National Conservation Area (NCA) Land Exchange. A National Conservation Area, such as the Red Rock NCA, is an area identified by Congress as having unique natural resources in need of preservation. The Howard Hughes Corporation owns certain high-ground land on the edge of the NCA. H.R. 5200 provides that if the Corporation offers to convey its 1,082 acres of land on the edge of the conservation area, the Secretary of the Interior shall exchange about 998 acres of public land in the Las Vegas Valley. Further, Interior is directed to convey approximately 1,221 acres of land to Clark County, Nevada, for use as a park. The conveyances and management of the lands would be subject to certain terms and conditions, such as a land appraisal, and a process to equalize the value of the lands exchanged with the Corporation. The boundaries of the NCA would be adjusted to reflect the inclusion of any new land.

Sloan Canyon National Conservation Area. H.R. 5200 would establish the Sloan Canyon NCA to be managed by BLM. It encompasses about 48,438 acres and incorporates another wilderness area within its boundaries.

H.R. 5200 would require a comprehensive management plan for the NCA to be developed in consultation with the State, the city of Henderson, the County, and any other interested persons not later than 3 years after enactment. Subject to valid existing rights, Interior is to withdraw from certain uses under public land and mining laws all Federal lands within the NCA. Hunting, trapping, and fishing would be allowed in the area under prescribed conditions. Within the NCA, motor vehicles generally would be restricted to designated roads and trails. No buffer zones may be established around the NCA.

H.R. 5200 directs BLM to sell to the highest qualified bidder about 500 acres of public land immediately east of the NCA within one year of enactment. Proceeds from the sale would be divided as follows: (1) 5% to the State of Nevada for use in the general education program; and (2) 95% to an account established in the SNPLMA with amounts to be used for designated conservation-related activities. The enrolled bill also directs the Secretary to convey to the city of Henderson the public right-of-way requested for a rural roadway and public trail within 180 days of enactment.

Humboldt Project Conveyance. H.R. 5200 would direct the Secretary of the Interior to transfer all right, title, and interest in the lands and facilities of the Humboldt Project in Nevada, to the Pershing County Water Conservation District, the State of Nevada, and Pershing and Lander counties. As a condition of conveyance, the receiving entity would pay the Federal government the net present value of miscellaneous receipts associated with the lands and facilities received, and fair market value for any associated withdrawn land to be conveyed. H.R. 5200 requires the title transfer to be consistent with the terms and conditions of several existing agreements. If the transfer is not completed within 18 months after enactment of the bill, the Secretary would be required to submit a report to specified Congressional committees describing the current status. Prior to the transfer of title, Interior must complete any actions required under the National Environmental Policy Act, the Endangered Species Act, and all other applicable laws.

Amendments to the Southern Nevada Public Land Management Act (SNPLMA). H.R. 5200 would expand by about 22,000 acres an area identified for disposal in the SNPLMA. Interior advises that "the lands identified for disposal about the growing [Las Vegas Valley] metropolis . . . and are well suited to be moved out of Federal ownership." According to provisions in the SNPLMA, 85% of the proceeds of the sales of these disposal lands are deposited into a special account, which may be used for specified purposes such as the acquisition of environmentally sensitive land in Nevada. H.R. 5200 would allow DOI to allocate up to 10 percent of the funds to local and regional government entities for the development of parks, trails, and natural areas on Federal lands in Clark County.

Ivanpah Corridor. H.R. 5200 requires Interior to manage a specified corridor located along Interstate Route 15 south of the Las Vegas valley to the Nevada/California border. This corridor is expected to be the route for the proposed Ivanpah Airport, which is still undergoing required environmental and other reviews. The current administrative withdrawal from mineral entry along this corridor is terminated.

The enrolled bill requires Interior: (1) to establish a 2,640 foot-wide transportation and utility corridor along Interstate Route 15, and (2) upon the request by Clark County and subject to valid existing rights, to transfer all right, title, and interest to approximately 16,910 BLM-managed acres to the County to establish an Ivanpah Airport noise compatibility area. However, these provisions shall not be effective until construction of the Ivanpah airport is approved in accordance with existing law. Subject to certain terms and conditions, these lands are withdrawn under mining laws.

The enrolled bill would require the County to manage the land according to Federal laws governing land impacted by airport operations. Proceeds from the sale or lease (at fair market value) by the County of the lands in the noise compatibility area are to be allocated as follows: (a) 85% to the special account established in the SNPLMA; (b) 5% to the State of Nevada for use in the general education program; and (c) 10% to the Clark County Department of Aviation for airport development and noise compatibility programs.

H.R. 5200 would temporarily withdraw, for a period of 5 years, all Areas of Critical Environmental Concern designated by the 1998 Las Vegas Resource Management Plan from mining laws. Within 4 and 5 years of enactment of H.R. 5200, the Secretary and the U.S. Geological Survey respectively would be required to make a final decision on each of the temporary withdrawals and would be required to complete a mineral report for each of the areas temporarily withdrawn.

Public Interest Conveyances. H.R. 5200 directs the following land conveyances at no cost: (1) about 176 acres of BLM land to the Las Vegas Metropolitan Police Department for use as a shooting range; (2) about 516 acres of BLM land to the City of Henderson for use as a campus for the Nevada State College at Henderson, subject to certain conditions; and (3) about 30 acres of Federal land to the City of Las Vegas to be used for affordable housing purposes. Reversionary clauses for the last two conveyances require these lands to return to Federal ownership in the event they are not used for the prescribed purposes.

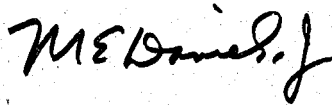
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Desert National Wildlife Refuge. H.R. 5200 would require the Secretary to transfer administrative jurisdiction over approximately 26,433 acres of specified BLM lands to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Refuge. These lands were previously designated as wilderness study areas; under H.R. 5200, they would be managed in accordance with the National Wildlife Refuge System Improvement Act of 1997 and existing cooperative conservation agreements.

Conclusion and Recommendations

DOI recommends approval of H.R. 5200, advising that the enrolled bill "is a significant and complex bill that addresses a wide array of public land issues in Clark County . . . [It] moves the debate on public land issues forward in Clark County and resolves many of those issues."

We join DOI and USDA in recommending approval of H.R. 5200, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUMDate: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
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BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
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GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
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RESPONSE: _____

Harriet E. Miers
Assistant to the President
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Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
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Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

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Department of Agriculture (USDA)	Approval
Department of Justice	No objection (Informally)
Department of Transportation	No objection (Informally)
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Environmental Protection Agency	No comment (Informally)

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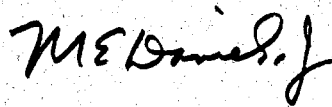
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A handwritten signature in black ink, appearing to read "M E Daniels, Jr.", written in a cursive style.

Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUMDate: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
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RESPONSE: _____

Harriet E. Miers
Assistant to the President
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Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

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Sponsor - Rep. Gibbons (R) Nevada

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Approval

Department of the Interior (DOI)
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Department of Justice
Department of Transportation
Council on Environmental Quality
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Approval
Approval
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H.R. 5200 addresses a number of land and land management issues in Clark County, Nevada, that were not addressed in SNPLMA. Major provisions are outlined below; additional detail is provided in the Interior Department views letter.

Wilderness Areas. H.R. 5200 would designate 17 wilderness areas and expand one preexisting wilderness area, which altogether encompass about 450,000 acres. Congressionally-designated wilderness areas consist of Federal lands that retain their primeval character and are without permanent improvements or human habitation.

H.R. 5200 provides for certain activities (subject to various terms and conditions) in the wilderness areas. These activities include: (1) grazing of livestock in specified areas; (2) military overflights; (3) access by Native Americans for traditional cultural and religious purposes; (4) continued conduct of activities occurring outside a wilderness area that can be seen or heard from within an area; (5) continued State of Nevada jurisdiction over fish and wildlife management, including the regulation of hunting, fishing, and trapping; (6) management activities to maintain or restore fish and wildlife populations where consistent with relevant wilderness management plans; (7) wildfire management operations; (8) installation and maintenance of hydrologic, meteorological, or climatological collection devices if they are essential to flood warning, flood control, and water reservoir operation activities; and (9) other prescribed existing activities.

H.R. 5200 is not intended to: (1) constitute a reservation of any water or water rights; (2) affect the State of Nevada's water rights; (3) establish a precedent with regard to any future protection area designations; or (4) affect existing interstate water compacts or apportionment decrees between Nevada and other States. The enrolled bill directs DOI to follow Nevada's water laws with respect to any new water rights within the wilderness areas, and it withdraws the areas from public land and mining laws, subject to valid existing rights.

Release of Existing Wilderness Study Areas. H.R. 5200 would release an estimated 225,000 acres in specified Wilderness Study Areas from protective status. (The study areas would no longer be managed as if they were wilderness areas, allowing a range of possible uses of the land in accord with existing land management plans.) In one of the released areas, a 500-foot wide right-of-way is granted to the State-regulated sponsor of the Centennial Project for the construction and maintenance of two 500-kilovolt electrical transmission lines.

DOI advises that "[b]y both designating wilderness and releasing areas from wilderness study status, the bill resolves many land use issues in Clark County." According to Interior, the wilderness provisions of H.R. 5200 provide "an important template for future resolution of wilderness questions which exist in so many states."

Red Rock Canyon National Conservation Area (NCA) Land Exchange. A National Conservation Area, such as the Red Rock NCA, is an area identified by Congress as having unique natural resources in need of preservation. The Howard Hughes Corporation owns certain high-ground land on the edge of the NCA. H.R. 5200 provides that if the Corporation offers to convey its 1,082 acres of land on the edge of the conservation area, the Secretary of the Interior shall exchange about 998 acres of public land in the Las Vegas Valley. Further, Interior is directed to convey approximately 1,221 acres of land to Clark County, Nevada, for use as a park. The conveyances and management of the lands would be subject to certain terms and conditions, such as a land appraisal, and a process to equalize the value of the lands exchanged with the Corporation. The boundaries of the NCA would be adjusted to reflect the inclusion of any new land.

Sloan Canyon National Conservation Area. H.R. 5200 would establish the Sloan Canyon NCA to be managed by BLM. It encompasses about 48,438 acres and incorporates another wilderness area within its boundaries.

H.R. 5200 would require a comprehensive management plan for the NCA to be developed in consultation with the State, the city of Henderson, the County, and any other interested persons not later than 3 years after enactment. Subject to valid existing rights, Interior is to withdraw from certain uses under public land and mining laws all Federal lands within the NCA. Hunting, trapping, and fishing would be allowed in the area under prescribed conditions. Within the NCA, motor vehicles generally would be restricted to designated roads and trails. No buffer zones may be established around the NCA.

H.R. 5200 directs BLM to sell to the highest qualified bidder about 500 acres of public land immediately east of the NCA within one year of enactment. Proceeds from the sale would be divided as follows: (1) 5% to the State of Nevada for use in the general education program; and (2) 95% to an account established in the SNPLMA with amounts to be used for designated conservation-related activities. The enrolled bill also directs the Secretary to convey to the city of Henderson the public right-of-way requested for a rural roadway and public trail within 180 days of enactment.

Humboldt Project Conveyance. H.R. 5200 would direct the Secretary of the Interior to transfer all right, title, and interest in the lands and facilities of the Humboldt Project in Nevada, to the Pershing County Water Conservation District, the State of Nevada, and Pershing and Lander counties. As a condition of conveyance, the receiving entity would pay the Federal government the net present value of miscellaneous receipts associated with the lands and facilities received, and fair market value for any associated withdrawn land to be conveyed. H.R. 5200 requires the title transfer to be consistent with the terms and conditions of several existing agreements. If the transfer is not completed within 18 months after enactment of the bill, the Secretary would be required to submit a report to specified Congressional committees describing the current status. Prior to the transfer of title, Interior must complete any actions required under the National Environmental Policy Act, the Endangered Species Act, and all other applicable laws.

Amendments to the Southern Nevada Public Land Management Act (SNPLMA). H.R. 5200 would expand by about 22,000 acres an area identified for disposal in the SNPLMA. Interior advises that "the lands identified for disposal about the growing [Las Vegas Valley] metropolis . . . and are well suited to be moved out of Federal ownership." According to provisions in the SNPLMA, 85% of the proceeds of the sales of these disposal lands are deposited into a special account, which may be used for specified purposes such as the acquisition of environmentally sensitive land in Nevada. H.R. 5200 would allow DOI to allocate up to 10 percent of the funds to local and regional government entities for the development of parks, trails, and natural areas on Federal lands in Clark County.

Ivanpah Corridor. H.R. 5200 requires Interior to manage a specified corridor located along Interstate Route 15 south of the Las Vegas valley to the Nevada/California border. This corridor is expected to be the route for the proposed Ivanpah Airport, which is still undergoing required environmental and other reviews. The current administrative withdrawal from mineral entry along this corridor is terminated.

The enrolled bill requires Interior: (1) to establish a 2,640 foot-wide transportation and utility corridor along Interstate Route 15, and (2) upon the request by Clark County and subject to valid existing rights, to transfer all right, title, and interest to approximately 16,910 BLM-managed acres to the County to establish an Ivanpah Airport noise compatibility area. However, these provisions shall not be effective until construction of the Ivanpah airport is approved in accordance with existing law. Subject to certain terms and conditions, these lands are withdrawn under mining laws.

The enrolled bill would require the County to manage the land according to Federal laws governing land impacted by airport operations. Proceeds from the sale or lease (at fair market value) by the County of the lands in the noise compatibility area are to be allocated as follows: (a) 85% to the special account established in the SNPLMA; (b) 5% to the State of Nevada for use in the general education program; and (c) 10% to the Clark County Department of Aviation for airport development and noise compatibility programs.

H.R. 5200 would temporarily withdraw, for a period of 5 years, all Areas of Critical Environmental Concern designated by the 1998 Las Vegas Resource Management Plan from mining laws. Within 4 and 5 years of enactment of H.R. 5200, the Secretary and the U.S. Geological Survey respectively would be required to make a final decision on each of the temporary withdrawals and would be required to complete a mineral report for each of the areas temporarily withdrawn.

Public Interest Conveyances. H.R. 5200 directs the following land conveyances at no cost: (1) about 176 acres of BLM land to the Las Vegas Metropolitan Police Department for use as a shooting range; (2) about 516 acres of BLM land to the City of Henderson for use as a campus for the Nevada State College at Henderson, subject to certain conditions; and (3) about 30 acres of Federal land to the City of Las Vegas to be used for affordable housing purposes. Reversionary clauses for the last two conveyances require these lands to return to Federal ownership in the event they are not used for the prescribed purposes.

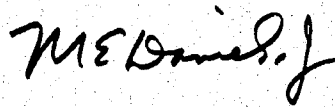
The enrolled bill authorizes the conveyance of about 115 acres from the Clark County Department of Aviation to the University of Nevada at Las Vegas Research Foundation for the development of a technology research center. H.R. 5200 includes conditions if the Foundation sells or leases the land. This land, which had been Federal land, was transferred to the Aviation Department under the SNPLMA. Interior is also directed to sell to the highest bidder a parcel consisting of approximately 360 acres of public lands adjacent to the SNPLMA disposal boundary. The proceeds from the sale would be deposited into the SNPLMA special account.

Desert National Wildlife Refuge. H.R. 5200 would require the Secretary to transfer administrative jurisdiction over approximately 26,433 acres of specified BLM lands to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Refuge. These lands were previously designated as wilderness study areas; under H.R. 5200, they would be managed in accordance with the National Wildlife Refuge System Improvement Act of 1997 and existing cooperative conservation agreements.

Conclusion and Recommendations

DOI recommends approval of H.R. 5200, advising that the enrolled bill "is a significant and complex bill that addresses a wide array of public land issues in Clark County . . . [It] moves the debate on public land issues forward in Clark County and resolves many of those issues."

We join DOI and USDA in recommending approval of H.R. 5200, which passed the House by voice vote and the Senate by unanimous consent.

A handwritten signature in black ink, appearing to read "M E Daniels, Jr.", with a stylized flourish at the end.

Mitchell E. Daniels, Jr.
Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1262
 CONNECTION TEL 60387
 CONNECTION ID
 ST. TIME 10/31 23:26
 USAGE T 03:07
 PGS. SENT 6
 RESULT OK

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PM

ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
 Subject: AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT →	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
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CALIO	☒	☐	RICE	☒	☐
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HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES. X53458. FAX X56148, BY 3:00

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

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REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE: _____

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1263	
CONNECTION TEL		62710
CONNECTION ID	CEQ	
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WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PM

ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
 Subject: AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00

WHITE HOUSE STAFFING MEMORANDUMDate: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

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REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1268
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 CONNECTION ID
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WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PM

Subject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND AND NATURAL RESOURCES ACT OF 2002

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REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00
 NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK

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Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1274
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WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PM

ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
 Subject: AND NATURAL RESOURCES ACT OF 2002

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REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM HUKES Y52458 FAX Y56148 BY 3:00

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

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REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

 *** TX REPORT ***

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WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PM

Subject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

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VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
Natural Resources Act of 2002
Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior (DOI)	Approval
Department of Agriculture (USDA)	Approval
Department of Justice	No objection (Informally)
Department of Transportation	No objection (Informally)
Council on Environmental Quality	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

Clark County, Nevada, which includes Las Vegas, is the fastest growing metropolitan area in the United States. According to Interior, the Bureau of Land Management (BLM) manages 66 percent of the 4.2 million acres of land within the county. Congress enacted the Southern Nevada Public Land Management Act (SNPLMA) in 1998 to provide a statutory framework for the orderly disposal of select public lands, the acquisition of environmentally sensitive lands, and the sharing of the proceeds from land sales.

H.R. 5200 addresses a number of land and land management issues in Clark County, Nevada, that were not addressed in SNPLMA. Major provisions are outlined below; additional detail is provided in the Interior Department views letter.

Wilderness Areas. H.R. 5200 would designate 17 wilderness areas and expand one preexisting wilderness area, which altogether encompass about 450,000 acres. Congressionally-designated wilderness areas consist of Federal lands that retain their primeval character and are without permanent improvements or human habitation.

H.R. 5200 provides for certain activities (subject to various terms and conditions) in the wilderness areas. These activities include: (1) grazing of livestock in specified areas; (2) military overflights; (3) access by Native Americans for traditional cultural and religious purposes; (4) continued conduct of activities occurring outside a wilderness area that can be seen or heard from within an area; (5) continued State of Nevada jurisdiction over fish and wildlife management, including the regulation of hunting, fishing, and trapping; (6) management activities to maintain or restore fish and wildlife populations where consistent with relevant wilderness management plans; (7) wildfire management operations; (8) installation and maintenance of hydrologic, meteorological, or climatological collection devices if they are essential to flood warning, flood control, and water reservoir operation activities; and (9) other prescribed existing activities.

H.R. 5200 is not intended to: (1) constitute a reservation of any water or water rights; (2) affect the State of Nevada's water rights; (3) establish a precedent with regard to any future protection area designations; or (4) affect existing interstate water compacts or apportionment decrees between Nevada and other States. The enrolled bill directs DOI to follow Nevada's water laws with respect to any new water rights within the wilderness areas, and it withdraws the areas from public land and mining laws, subject to valid existing rights.

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H.R. 5200 would temporarily withdraw, for a period of 5 years, all Areas of Critical Environmental Concern designated by the 1998 Las Vegas Resource Management Plan from mining laws. Within 4 and 5 years of enactment of H.R. 5200, the Secretary and the U.S. Geological Survey respectively would be required to make a final decision on each of the temporary withdrawals and would be required to complete a mineral report for each of the areas temporarily withdrawn.

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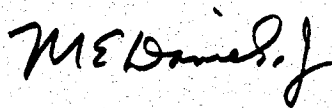
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Conclusion and Recommendations

DOI recommends approval of H.R. 5200, advising that the enrolled bill "is a significant and complex bill that addresses a wide array of public land issues in Clark County . . . [It] moves the debate on public land issues forward in Clark County and resolves many of those issues."

We join DOI and USDA in recommending approval of H.R. 5200, which passed the House by voice vote and the Senate by unanimous consent.

A handwritten signature in black ink, reading "M E Daniels, Jr." in a cursive style.

Mitchell E. Daniels, Jr.
Director

Enclosures

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY →	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☒	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

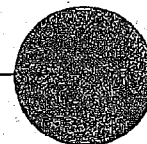
RESPONSE: _____

No comment

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

SS/ RM NO.

Kyle



WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PM

Subject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

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No comment.

RESPONSE:

*Kyle Sampson
WHCO
6-5257*

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



OFFICE OF THE VICE PRESIDENT
WASHINGTON

November 1, 2002

MEMORANDUM FOR JAMES JUKES
ASSISTANT DIRECTOR, OMB

FROM: **JONATHAN BURKS** 
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: **Enrolled Bill H.R. 5200 – Clark County Conservation
of Public Land and Natural Resources Act of 2002**

The Office of the Vice President has reviewed the above-referenced draft and has no objection to the President signing the enrolled bill.

cc: Harriet Miers
Staff Secretary

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

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RESPONSE:

OK TT

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
Natural Resources Act of 2002
Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior (DOI)	Approval
Department of Agriculture (USDA)	Approval
Department of Justice	No objection (Informally)
Department of Transportation	No objection (Informally)
Council on Environmental Quality	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

Clark County, Nevada, which includes Las Vegas, is the fastest growing metropolitan area in the United States. According to Interior, the Bureau of Land Management (BLM) manages 66 percent of the 4.2 million acres of land within the county. Congress enacted the Southern Nevada Public Land Management Act (SNPLMA) in 1998 to provide a statutory framework for the orderly disposal of select public lands, the acquisition of environmentally sensitive lands, and the sharing of the proceeds from land sales.

H.R. 5200 addresses a number of land and land management issues in Clark County, Nevada, that were not addressed in SNPLMA. Major provisions are outlined below; additional detail is provided in the Interior Department views letter.

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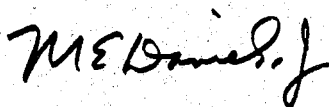
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Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PM

Subject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☒	☐
BLAKEMAN	☐	☐	LINDSEY	☐	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☒	☐
CALIO	☒	☐	RICE	☒	☐
CONNAUGHTON	☒	☐	RIDGE	☒	☐
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FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:
PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

OK - Phillip Swager CFA

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

OCT 23 2002

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Director Daniels:

This is in reply to your request of October 18, 2002, concerning the views of the Department of Agriculture (USDA) on the enrolled bill H.R. 5200, the "Clark County Conservation of Public Land and Natural Resources Act of 2002".

USDA recommends that the President sign the enrolled bill.

Titles II and IV of the enrolled bill affect the Forest Service. Section 202 of the enrolled bill designates certain Federal lands as components of the National Wilderness Preservation System, including three areas in the Toiyabe National Forest. Section 207 provides that certain wilderness study areas managed by the Bureau of Land Management and the Forest Service have been adequately studied for wilderness designation. Section 401 amends the Southern Nevada Public Land Management Act of 1998 to authorize the use of up to 10 percent of amounts deposited in a special account under the Act for conservation initiatives on Federal land in Clark County, Nevada.

Thank you for the opportunity to provide our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann M. Veneman", written over a horizontal line.

Ann M. Veneman
Secretary

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Views of the Department of the Interior on H.R. 5200] - To: Honorable Mitchell E. Daniels, Jr. - From: Rebecca W. Watson	7	10/29/2002	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

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11/06/2002 [H.R. 5200] [771585]

FRC ID:

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9469

NARA Num.:

9360

FOIA IDs and Segments:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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- B. Closed by statute or by the agency which originated the document.
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- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02/007 81/85-06

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
Natural Resources Act of 2002
Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior (DOI)

Approval

Department of Agriculture (USDA)

Approval

Department of Justice

No objection (Informally)

Department of Transportation

No objection (Informally)

Council on Environmental Quality

No objection (Informally)

Environmental Protection Agency

No comment (Informally)

Discussion

Clark County, Nevada, which includes Las Vegas, is the fastest growing metropolitan area in the United States. According to Interior, the Bureau of Land Management (BLM) manages 66 percent of the 4.2 million acres of land within the county. Congress enacted the Southern Nevada Public Land Management Act (SNPLMA) in 1998 to provide a statutory framework for the orderly disposal of select public lands, the acquisition of environmentally sensitive lands, and the sharing of the proceeds from land sales.

H.R. 5200 addresses a number of land and land management issues in Clark County, Nevada, that were not addressed in SNPLMA. Major provisions are outlined below; additional detail is provided in the Interior Department views letter.

Wilderness Areas. H.R. 5200 would designate 17 wilderness areas and expand one preexisting wilderness area, which altogether encompass about 450,000 acres. Congressionally-designated wilderness areas consist of Federal lands that retain their primeval character and are without permanent improvements or human habitation.

H.R. 5200 provides for certain activities (subject to various terms and conditions) in the wilderness areas. These activities include: (1) grazing of livestock in specified areas; (2) military overflights; (3) access by Native Americans for traditional cultural and religious purposes; (4) continued conduct of activities occurring outside a wilderness area that can be seen or heard from within an area; (5) continued State of Nevada jurisdiction over fish and wildlife management, including the regulation of hunting, fishing, and trapping; (6) management activities to maintain or restore fish and wildlife populations where consistent with relevant wilderness management plans; (7) wildfire management operations; (8) installation and maintenance of hydrologic, meteorological, or climatological collection devices if they are essential to flood warning, flood control, and water reservoir operation activities; and (9) other prescribed existing activities.

H.R. 5200 is not intended to: (1) constitute a reservation of any water or water rights; (2) affect the State of Nevada's water rights; (3) establish a precedent with regard to any future protection area designations; or (4) affect existing interstate water compacts or apportionment decrees between Nevada and other States. The enrolled bill directs DOI to follow Nevada's water laws with respect to any new water rights within the wilderness areas, and it withdraws the areas from public land and mining laws, subject to valid existing rights.

Release of Existing Wilderness Study Areas. H.R. 5200 would release an estimated 225,000 acres in specified Wilderness Study Areas from protective status. (The study areas would no longer be managed as if they were wilderness areas, allowing a range of possible uses of the land in accord with existing land management plans.) In one of the released areas, a 500-foot wide right-of-way is granted to the State-regulated sponsor of the Centennial Project for the construction and maintenance of two 500-kilovolt electrical transmission lines.

DOI advises that "[b]y both designating wilderness and releasing areas from wilderness study status, the bill resolves many land use issues in Clark County." According to Interior, the wilderness provisions of H.R. 5200 provide "an important template for future resolution of wilderness questions which exist in so many states."

Red Rock Canyon National Conservation Area (NCA) Land Exchange. A National Conservation Area, such as the Red Rock NCA, is an area identified by Congress as having unique natural resources in need of preservation. The Howard Hughes Corporation owns certain high-ground land on the edge of the NCA. H.R. 5200 provides that if the Corporation offers to convey its 1,082 acres of land on the edge of the conservation area, the Secretary of the Interior shall exchange about 998 acres of public land in the Las Vegas Valley. Further, Interior is directed to convey approximately 1,221 acres of land to Clark County, Nevada, for use as a park. The conveyances and management of the lands would be subject to certain terms and conditions, such as a land appraisal, and a process to equalize the value of the lands exchanged with the Corporation. The boundaries of the NCA would be adjusted to reflect the inclusion of any new land.

Sloan Canyon National Conservation Area. H.R. 5200 would establish the Sloan Canyon NCA to be managed by BLM. It encompasses about 48,438 acres and incorporates another wilderness area within its boundaries.

H.R. 5200 would require a comprehensive management plan for the NCA to be developed in consultation with the State, the city of Henderson, the County, and any other interested persons not later than 3 years after enactment. Subject to valid existing rights, Interior is to withdraw from certain uses under public land and mining laws all Federal lands within the NCA. Hunting, trapping, and fishing would be allowed in the area under prescribed conditions. Within the NCA, motor vehicles generally would be restricted to designated roads and trails. No buffer zones may be established around the NCA.

H.R. 5200 directs BLM to sell to the highest qualified bidder about 500 acres of public land immediately east of the NCA within one year of enactment. Proceeds from the sale would be divided as follows: (1) 5% to the State of Nevada for use in the general education program; and (2) 95% to an account established in the SNPLMA with amounts to be used for designated conservation-related activities. The enrolled bill also directs the Secretary to convey to the city of Henderson the public right-of-way requested for a rural roadway and public trail within 180 days of enactment.

Humboldt Project Conveyance. H.R. 5200 would direct the Secretary of the Interior to transfer all right, title, and interest in the lands and facilities of the Humboldt Project in Nevada, to the Pershing County Water Conservation District, the State of Nevada, and Pershing and Lander counties. As a condition of conveyance, the receiving entity would pay the Federal government the net present value of miscellaneous receipts associated with the lands and facilities received, and fair market value for any associated withdrawn land to be conveyed. H.R. 5200 requires the title transfer to be consistent with the terms and conditions of several existing agreements. If the transfer is not completed within 18 months after enactment of the bill, the Secretary would be required to submit a report to specified Congressional committees describing the current status. Prior to the transfer of title, Interior must complete any actions required under the National Environmental Policy Act, the Endangered Species Act, and all other applicable laws.

Amendments to the Southern Nevada Public Land Management Act (SNPLMA). H.R. 5200 would expand by about 22,000 acres an area identified for disposal in the SNPLMA. Interior advises that "the lands identified for disposal abut the growing [Las Vegas Valley] metropolis . . . and are well suited to be moved out of Federal ownership." According to provisions in the SNPLMA, 85% of the proceeds of the sales of these disposal lands are deposited into a special account, which may be used for specified purposes such as the acquisition of environmentally sensitive land in Nevada. H.R. 5200 would allow DOI to allocate up to 10 percent of the funds to local and regional government entities for the development of parks, trails, and natural areas on Federal lands in Clark County.

Ivanpah Corridor. H.R. 5200 requires Interior to manage a specified corridor located along Interstate Route 15 south of the Las Vegas valley to the Nevada/California border. This corridor is expected to be the route for the proposed Ivanpah Airport, which is still undergoing required environmental and other reviews. The current administrative withdrawal from mineral entry along this corridor is terminated.

The enrolled bill requires Interior: (1) to establish a 2,640 foot-wide transportation and utility corridor along Interstate Route 15, and (2) upon the request by Clark County and subject to valid existing rights, to transfer all right, title, and interest to approximately 16,910 BLM-managed acres to the County to establish an Ivanpah Airport noise compatibility area. However, these provisions shall not be effective until construction of the Ivanpah airport is approved in accordance with existing law. Subject to certain terms and conditions, these lands are withdrawn under mining laws.

The enrolled bill would require the County to manage the land according to Federal laws governing land impacted by airport operations. Proceeds from the sale or lease (at fair market value) by the County of the lands in the noise compatibility area are to be allocated as follows: (a) 85% to the special account established in the SNPLMA; (b) 5% to the State of Nevada for use in the general education program; and (c) 10% to the Clark County Department of Aviation for airport development and noise compatibility programs.

H.R. 5200 would temporarily withdraw, for a period of 5 years, all Areas of Critical Environmental Concern designated by the 1998 Las Vegas Resource Management Plan from mining laws. Within 4 and 5 years of enactment of H.R. 5200, the Secretary and the U.S. Geological Survey respectively would be required to make a final decision on each of the temporary withdrawals and would be required to complete a mineral report for each of the areas temporarily withdrawn.

Public Interest Conveyances. H.R. 5200 directs the following land conveyances at no cost: (1) about 176 acres of BLM land to the Las Vegas Metropolitan Police Department for use as a shooting range; (2) about 516 acres of BLM land to the City of Henderson for use as a campus for the Nevada State College at Henderson, subject to certain conditions; and (3) about 30 acres of Federal land to the City of Las Vegas to be used for affordable housing purposes. Reversionary clauses for the last two conveyances require these lands to return to Federal ownership in the event they are not used for the prescribed purposes.

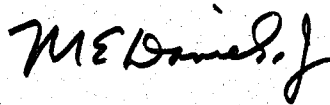
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Desert National Wildlife Refuge. H.R. 5200 would require the Secretary to transfer administrative jurisdiction over approximately 26,433 acres of specified BLM lands to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Refuge. These lands were previously designated as wilderness study areas; under H.R. 5200, they would be managed in accordance with the National Wildlife Refuge System Improvement Act of 1997 and existing cooperative conservation agreements.

Conclusion and Recommendations

DOI recommends approval of H.R. 5200, advising that the enrolled bill "is a significant and complex bill that addresses a wide array of public land issues in Clark County . . . [It] moves the debate on public land issues forward in Clark County and resolves many of those issues."

We join DOI and USDA in recommending approval of H.R. 5200, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 OCT 2002 15:45

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

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Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior (DOI)	Approval
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Department of Justice	No objection (Informally)
Department of Transportation	No objection (Informally)
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Discussion

Clark County, Nevada, which includes Las Vegas, is the fastest growing metropolitan area in the United States. According to Interior, the Bureau of Land Management (BLM) manages 66 percent of the 4.2 million acres of land within the county. Congress enacted the Southern Nevada Public Land Management Act (SNPLMA) in 1998 to provide a statutory framework for the orderly disposal of select public lands, the acquisition of environmentally sensitive lands, and the sharing of the proceeds from land sales.

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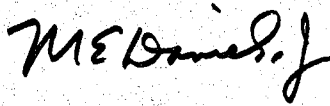
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A handwritten signature in black ink, appearing to read "ME Daniels, Jr.", with a stylized flourish at the end.

Mitchell E. Daniels, Jr.
Director

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Approval

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H.R. 5200 would temporarily withdraw, for a period of 5 years, all Areas of Critical Environmental Concern designated by the 1998 Las Vegas Resource Management Plan from mining laws. Within 4 and 5 years of enactment of H.R. 5200, the Secretary and the U.S. Geological Survey respectively would be required to make a final decision on each of the temporary withdrawals and would be required to complete a mineral report for each of the areas temporarily withdrawn.

Public Interest Conveyances. H.R. 5200 directs the following land conveyances at no cost: (1) about 176 acres of BLM land to the Las Vegas Metropolitan Police Department for use as a shooting range; (2) about 516 acres of BLM land to the City of Henderson for use as a campus for the Nevada State College at Henderson, subject to certain conditions; and (3) about 30 acres of Federal land to the City of Las Vegas to be used for affordable housing purposes. Reversionary clauses for the last two conveyances require these lands to return to Federal ownership in the event they are not used for the prescribed purposes.

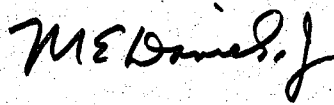
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Desert National Wildlife Refuge. H.R. 5200 would require the Secretary to transfer administrative jurisdiction over approximately 26,433 acres of specified BLM lands to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Refuge. These lands were previously designated as wilderness study areas; under H.R. 5200, they would be managed in accordance with the National Wildlife Refuge System Improvement Act of 1997 and existing cooperative conservation agreements.

Conclusion and Recommendations

DOI recommends approval of H.R. 5200, advising that the enrolled bill "is a significant and complex bill that addresses a wide array of public land issues in Clark County . . . [It] moves the debate on public land issues forward in Clark County and resolves many of those issues."

We join DOI and USDA in recommending approval of H.R. 5200, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

Memo to the Record

Date: 02/08/2017

Collection: Executive Clerk, Office of the

Series: Saunders, G. Timothy (Tim) - Bill Files

Hollinger ID: 85234

Folder Title: 11/06/2002 [H.R. 5200] [771585]

RE: [107th Congress 2d Session HOUSE OF REPRESENTATIVES report, 107-750]

A copy of the report entitled "CLARK COUNTY CONSERVATION OF PUBLIC LAND AND NATURAL RESOURCES ACT OF 2002" is included at this location in this folder. It was not scanned.

It can be viewed at <https://www.congress.gov/107/crpt/hrpt750/CRPT-107hrpt750.pdf>. If this link is broken, please contact the George W. Bush Presidential Library archives for additional information regarding this item.

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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BARTLETT	☒	☐	JOHNSON	☐	☐
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GONZALES	☒	☐		☐	☐
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REMARKS:

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OK-No Comment

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
Natural Resources Act of 2002
Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior (DOI)	Approval
Department of Agriculture (USDA)	Approval
Department of Justice	No objection (Informally)
Department of Transportation	No objection (Informally)
Council on Environmental Quality	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

Clark County, Nevada, which includes Las Vegas, is the fastest growing metropolitan area in the United States. According to Interior, the Bureau of Land Management (BLM) manages 66 percent of the 4.2 million acres of land within the county. Congress enacted the Southern Nevada Public Land Management Act (SNPLMA) in 1998 to provide a statutory framework for the orderly disposal of select public lands, the acquisition of environmentally sensitive lands, and the sharing of the proceeds from land sales.

H.R. 5200 addresses a number of land and land management issues in Clark County, Nevada, that were not addressed in SNPLMA. Major provisions are outlined below; additional detail is provided in the Interior Department views letter.

Wilderness Areas. H.R. 5200 would designate 17 wilderness areas and expand one preexisting wilderness area, which altogether encompass about 450,000 acres. Congressionally-designated wilderness areas consist of Federal lands that retain their primeval character and are without permanent improvements or human habitation.

H.R. 5200 provides for certain activities (subject to various terms and conditions) in the wilderness areas. These activities include: (1) grazing of livestock in specified areas; (2) military overflights; (3) access by Native Americans for traditional cultural and religious purposes; (4) continued conduct of activities occurring outside a wilderness area that can be seen or heard from within an area; (5) continued State of Nevada jurisdiction over fish and wildlife management, including the regulation of hunting, fishing, and trapping; (6) management activities to maintain or restore fish and wildlife populations where consistent with relevant wilderness management plans; (7) wildfire management operations; (8) installation and maintenance of hydrologic, meteorological, or climatological collection devices if they are essential to flood warning, flood control, and water reservoir operation activities; and (9) other prescribed existing activities.

H.R. 5200 is not intended to: (1) constitute a reservation of any water or water rights; (2) affect the State of Nevada's water rights; (3) establish a precedent with regard to any future protection area designations; or (4) affect existing interstate water compacts or apportionment decrees between Nevada and other States. The enrolled bill directs DOI to follow Nevada's water laws with respect to any new water rights within the wilderness areas, and it withdraws the areas from public land and mining laws, subject to valid existing rights.

Release of Existing Wilderness Study Areas. H.R. 5200 would release an estimated 225,000 acres in specified Wilderness Study Areas from protective status. (The study areas would no longer be managed as if they were wilderness areas, allowing a range of possible uses of the land in accord with existing land management plans.) In one of the released areas, a 500-foot wide right-of-way is granted to the State-regulated sponsor of the Centennial Project for the construction and maintenance of two 500-kilovolt electrical transmission lines.

DOI advises that "[b]y both designating wilderness and releasing areas from wilderness study status, the bill resolves many land use issues in Clark County." According to Interior, the wilderness provisions of H.R. 5200 provide "an important template for future resolution of wilderness questions which exist in so many states."

Red Rock Canyon National Conservation Area (NCA) Land Exchange. A National Conservation Area, such as the Red Rock NCA, is an area identified by Congress as having unique natural resources in need of preservation. The Howard Hughes Corporation owns certain high-ground land on the edge of the NCA. H.R. 5200 provides that if the Corporation offers to convey its 1,082 acres of land on the edge of the conservation area, the Secretary of the Interior shall exchange about 998 acres of public land in the Las Vegas Valley. Further, Interior is directed to convey approximately 1,221 acres of land to Clark County, Nevada, for use as a park. The conveyances and management of the lands would be subject to certain terms and conditions, such as a land appraisal, and a process to equalize the value of the lands exchanged with the Corporation. The boundaries of the NCA would be adjusted to reflect the inclusion of any new land.

Sloan Canyon National Conservation Area. H.R. 5200 would establish the Sloan Canyon NCA to be managed by BLM. It encompasses about 48,438 acres and incorporates another wilderness area within its boundaries.

H.R. 5200 would require a comprehensive management plan for the NCA to be developed in consultation with the State, the city of Henderson, the County, and any other interested persons not later than 3 years after enactment. Subject to valid existing rights, Interior is to withdraw from certain uses under public land and mining laws all Federal lands within the NCA. Hunting, trapping, and fishing would be allowed in the area under prescribed conditions. Within the NCA, motor vehicles generally would be restricted to designated roads and trails. No buffer zones may be established around the NCA.

H.R. 5200 directs BLM to sell to the highest qualified bidder about 500 acres of public land immediately east of the NCA within one year of enactment. Proceeds from the sale would be divided as follows: (1) 5% to the State of Nevada for use in the general education program; and (2) 95% to an account established in the SNPLMA with amounts to be used for designated conservation-related activities. The enrolled bill also directs the Secretary to convey to the city of Henderson the public right-of-way requested for a rural roadway and public trail within 180 days of enactment.

Humboldt Project Conveyance. H.R. 5200 would direct the Secretary of the Interior to transfer all right, title, and interest in the lands and facilities of the Humboldt Project in Nevada, to the Pershing County Water Conservation District, the State of Nevada, and Pershing and Lander counties. As a condition of conveyance, the receiving entity would pay the Federal government the net present value of miscellaneous receipts associated with the lands and facilities received, and fair market value for any associated withdrawn land to be conveyed. H.R. 5200 requires the title transfer to be consistent with the terms and conditions of several existing agreements. If the transfer is not completed within 18 months after enactment of the bill, the Secretary would be required to submit a report to specified Congressional committees describing the current status. Prior to the transfer of title, Interior must complete any actions required under the National Environmental Policy Act, the Endangered Species Act, and all other applicable laws.

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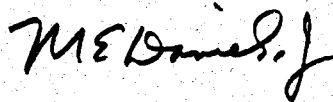
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Mitchell E. Daniels, Jr.
Director

Enclosures

SS/ RM NO. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PM

Subject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND
AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
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FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

No Comment.

RESPONSE:

Phyllis Cooney, CEQ
11/1/02

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

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RESPONSE:

def to go

Harriet E. Miers
Assistant to the President
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Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
Natural Resources Act of 2002
Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior (DOI)	Approval
Department of Agriculture (USDA)	Approval
Department of Justice	No objection (Informally)
Department of Transportation	No objection (Informally)
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Discussion

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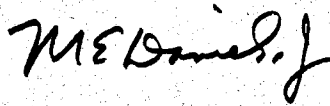
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Desert National Wildlife Refuge. H.R. 5200 would require the Secretary to transfer administrative jurisdiction over approximately 26,433 acres of specified BLM lands to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Refuge. These lands were previously designated as wilderness study areas; under H.R. 5200, they would be managed in accordance with the National Wildlife Refuge System Improvement Act of 1997 and existing cooperative conservation agreements.

Conclusion and Recommendations

DOI recommends approval of H.R. 5200, advising that the enrolled bill "is a significant and complex bill that addresses a wide array of public land issues in Clark County . . . [It] moves the debate on public land issues forward in Clark County and resolves many of those issues."

We join DOI and USDA in recommending approval of H.R. 5200, which passed the House by voice vote and the Senate by unanimous consent.

A handwritten signature in black ink, appearing to read "ME Daniels, Jr.", written in a cursive style.

Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 11-1-02 8:30 PM ACTION / CONCURRENCE / COMMENT DUE BY: 11/1/02 3:00 PMSubject: ENROLLED BILL H.R. 5200 - CLARK COUNTY CONSERVATION OF PUBLIC LAND AND NATURAL RESOURCES ACT OF 2002

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	IRASTORZA	☐	☐
BARTLETT	☒	☐	JOHNSON	☐	☐
BLAKEMAN	☐	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MARBURGER	☐	☐
BRIDGELAND	☐	☐	MIERS	☐	☐
CALIO →	☒	☐	RICE	☒	☐
CONNAUGHTON	☒	☐	RIDGE	☒	☐
DANIELS	☐	☒	ROVE	☒	☐
FLEISCHER	☒	☐	SPELLINGS	☒	☐
GERSON	☐	☐	CLERK	☐	☒
GONZALES	☒	☐	_____	☐	☐
HAGIN	☐	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE FORWARD COMMENTS DIRECTLY TO JIM JUKES, X53458, FAX X56148, BY 3:00 PM, FRIDAY, NOVEMBER 1, 2002, WITH A COPY TO THE STAFF SECRETARY. THANK YOU.

RESPONSE:

Legislative Affairs (Howard) - sh

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 31, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 5200 - Clark County Conservation of Public Land and
Natural Resources Act of 2002
Sponsor - Rep. Gibbons (R) Nevada

Last Day for Action

November 8, 2002 - Friday

Purpose

Designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior (DOI)	Approval
Department of Agriculture (USDA)	Approval
Department of Justice	No objection (Informally)
Department of Transportation	No objection (Informally)
Council on Environmental Quality	No objection (Informally)
Environmental Protection Agency	No comment (Informally)

Discussion

Clark County, Nevada, which includes Las Vegas, is the fastest growing metropolitan area in the United States. According to Interior, the Bureau of Land Management (BLM) manages 66 percent of the 4.2 million acres of land within the county. Congress enacted the Southern Nevada Public Land Management Act (SNPLMA) in 1998 to provide a statutory framework for the orderly disposal of select public lands, the acquisition of environmentally sensitive lands, and the sharing of the proceeds from land sales.

H.R. 5200 addresses a number of land and land management issues in Clark County, Nevada, that were not addressed in SNPLMA. Major provisions are outlined below; additional detail is provided in the Interior Department views letter.

Wilderness Areas. H.R. 5200 would designate 17 wilderness areas and expand one preexisting wilderness area, which altogether encompass about 450,000 acres. Congressionally-designated wilderness areas consist of Federal lands that retain their primeval character and are without permanent improvements or human habitation.

H.R. 5200 provides for certain activities (subject to various terms and conditions) in the wilderness areas. These activities include: (1) grazing of livestock in specified areas; (2) military overflights; (3) access by Native Americans for traditional cultural and religious purposes; (4) continued conduct of activities occurring outside a wilderness area that can be seen or heard from within an area; (5) continued State of Nevada jurisdiction over fish and wildlife management, including the regulation of hunting, fishing, and trapping; (6) management activities to maintain or restore fish and wildlife populations where consistent with relevant wilderness management plans; (7) wildfire management operations; (8) installation and maintenance of hydrologic, meteorological, or climatological collection devices if they are essential to flood warning, flood control, and water reservoir operation activities; and (9) other prescribed existing activities.

H.R. 5200 is not intended to: (1) constitute a reservation of any water or water rights; (2) affect the State of Nevada's water rights; (3) establish a precedent with regard to any future protection area designations; or (4) affect existing interstate water compacts or apportionment decrees between Nevada and other States. The enrolled bill directs DOI to follow Nevada's water laws with respect to any new water rights within the wilderness areas, and it withdraws the areas from public land and mining laws, subject to valid existing rights.

Release of Existing Wilderness Study Areas. H.R. 5200 would release an estimated 225,000 acres in specified Wilderness Study Areas from protective status. (The study areas would no longer be managed as if they were wilderness areas, allowing a range of possible uses of the land in accord with existing land management plans.) In one of the released areas, a 500-foot wide right-of-way is granted to the State-regulated sponsor of the Centennial Project for the construction and maintenance of two 500-kilovolt electrical transmission lines.

DOI advises that "[b]y both designating wilderness and releasing areas from wilderness study status, the bill resolves many land use issues in Clark County." According to Interior, the wilderness provisions of H.R. 5200 provide "an important template for future resolution of wilderness questions which exist in so many states."

Red Rock Canyon National Conservation Area (NCA) Land Exchange. A National Conservation Area, such as the Red Rock NCA, is an area identified by Congress as having unique natural resources in need of preservation. The Howard Hughes Corporation owns certain high-ground land on the edge of the NCA. H.R. 5200 provides that if the Corporation offers to convey its 1,082 acres of land on the edge of the conservation area, the Secretary of the Interior shall exchange about 998 acres of public land in the Las Vegas Valley. Further, Interior is directed to convey approximately 1,221 acres of land to Clark County, Nevada, for use as a park. The conveyances and management of the lands would be subject to certain terms and conditions, such as a land appraisal, and a process to equalize the value of the lands exchanged with the Corporation. The boundaries of the NCA would be adjusted to reflect the inclusion of any new land.

Sloan Canyon National Conservation Area. H.R. 5200 would establish the Sloan Canyon NCA to be managed by BLM. It encompasses about 48,438 acres and incorporates another wilderness area within its boundaries.

H.R. 5200 would require a comprehensive management plan for the NCA to be developed in consultation with the State, the city of Henderson, the County, and any other interested persons not later than 3 years after enactment. Subject to valid existing rights, Interior is to withdraw from certain uses under public land and mining laws all Federal lands within the NCA. Hunting, trapping, and fishing would be allowed in the area under prescribed conditions. Within the NCA, motor vehicles generally would be restricted to designated roads and trails. No buffer zones may be established around the NCA.

H.R. 5200 directs BLM to sell to the highest qualified bidder about 500 acres of public land immediately east of the NCA within one year of enactment. Proceeds from the sale would be divided as follows: (1) 5% to the State of Nevada for use in the general education program; and (2) 95% to an account established in the SNPLMA with amounts to be used for designated conservation-related activities. The enrolled bill also directs the Secretary to convey to the city of Henderson the public right-of-way requested for a rural roadway and public trail within 180 days of enactment.

Humboldt Project Conveyance. H.R. 5200 would direct the Secretary of the Interior to transfer all right, title, and interest in the lands and facilities of the Humboldt Project in Nevada, to the Pershing County Water Conservation District, the State of Nevada, and Pershing and Lander counties. As a condition of conveyance, the receiving entity would pay the Federal government the net present value of miscellaneous receipts associated with the lands and facilities received, and fair market value for any associated withdrawn land to be conveyed. H.R. 5200 requires the title transfer to be consistent with the terms and conditions of several existing agreements. If the transfer is not completed within 18 months after enactment of the bill, the Secretary would be required to submit a report to specified Congressional committees describing the current status. Prior to the transfer of title, Interior must complete any actions required under the National Environmental Policy Act, the Endangered Species Act, and all other applicable laws.

Amendments to the Southern Nevada Public Land Management Act (SNPLMA). H.R. 5200 would expand by about 22,000 acres an area identified for disposal in the SNPLMA. Interior advises that "the lands identified for disposal about the growing [Las Vegas Valley] metropolis . . . and are well suited to be moved out of Federal ownership." According to provisions in the SNPLMA, 85% of the proceeds of the sales of these disposal lands are deposited into a special account, which may be used for specified purposes such as the acquisition of environmentally sensitive land in Nevada. H.R. 5200 would allow DOI to allocate up to 10 percent of the funds to local and regional government entities for the development of parks, trails, and natural areas on Federal lands in Clark County.

Ivanpah Corridor. H.R. 5200 requires Interior to manage a specified corridor located along Interstate Route 15 south of the Las Vegas valley to the Nevada/California border. This corridor is expected to be the route for the proposed Ivanpah Airport, which is still undergoing required environmental and other reviews. The current administrative withdrawal from mineral entry along this corridor is terminated.

The enrolled bill requires Interior: (1) to establish a 2,640 foot-wide transportation and utility corridor along Interstate Route 15, and (2) upon the request by Clark County and subject to valid existing rights, to transfer all right, title, and interest to approximately 16,910 BLM-managed acres to the County to establish an Ivanpah Airport noise compatibility area. However, these provisions shall not be effective until construction of the Ivanpah airport is approved in accordance with existing law. Subject to certain terms and conditions, these lands are withdrawn under mining laws.

The enrolled bill would require the County to manage the land according to Federal laws governing land impacted by airport operations. Proceeds from the sale or lease (at fair market value) by the County of the lands in the noise compatibility area are to be allocated as follows: (a) 85% to the special account established in the SNPLMA; (b) 5% to the State of Nevada for use in the general education program; and (c) 10% to the Clark County Department of Aviation for airport development and noise compatibility programs.

H.R. 5200 would temporarily withdraw, for a period of 5 years, all Areas of Critical Environmental Concern designated by the 1998 Las Vegas Resource Management Plan from mining laws. Within 4 and 5 years of enactment of H.R. 5200, the Secretary and the U.S. Geological Survey respectively would be required to make a final decision on each of the temporary withdrawals and would be required to complete a mineral report for each of the areas temporarily withdrawn.

Public Interest Conveyances. H.R. 5200 directs the following land conveyances at no cost: (1) about 176 acres of BLM land to the Las Vegas Metropolitan Police Department for use as a shooting range; (2) about 516 acres of BLM land to the City of Henderson for use as a campus for the Nevada State College at Henderson, subject to certain conditions; and (3) about 30 acres of Federal land to the City of Las Vegas to be used for affordable housing purposes. Reversionary clauses for the last two conveyances require these lands to return to Federal ownership in the event they are not used for the prescribed purposes.

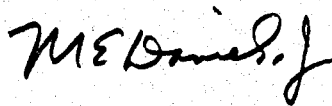
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Mitchell E. Daniels, Jr.
Director

Enclosures

On Wednesday, November 6, 2002, the President signed into law:

H.R. 4013, "Rare Diseases Act of 2002", which establishes an Office of Rare Diseases within the National Institutes of Health (NIH) and authorizes appropriations for Rare Disease Regional Centers of Excellence;

H.R. 4014, "Rare Diseases Orphan Product Development Act of 2002", which authorizes appropriations through FY 2006 for the Food and Drug Administration's (FDA) program that helps defray the costs of developing and testing new products to treat or diagnose rare diseases;

H.R. 5200, "Clark County Conservation of Public Land and Natural Resources Act of 2002", which designates about 450,000 acres of wilderness; releases about 225,000 acres from wilderness study area status; and transfers land to local and other non-Federal entities in Clark County, Nevada;

H.R. 5308, which designates the facility of the United States Postal Service located at 301 South Howes Street in Fort Collins, Colorado, as the Barney Apodaca Post Office;

H.R. 5333, which designates the facility of the United States Postal Service located at 4 East Central Street in Worcester, Massachusetts, as the Joseph D. Early Post Office Building;

H.R. 5336, which designates the facility of the United States Postal Service located at 380 Main Street in Farmingdale, New York, as the Peter J. Ganci, Jr. Post Office Building; and

H.R. 5340, which designates the facility of the United States Postal Service located at 5805 White Oak Avenue in Encino, California, as the Francis Dayle "Chick" Hearn Post Office.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

November 6, 2002

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