

JANUARY 30, 2014

RULES COMMITTEE PRINT 113-35

**TEXT OF H.R. 2954, TO AUTHORIZE ESCAMBIA
COUNTY, FLORIDA, TO CONVEY CERTAIN
PROPERTY THAT WAS FORMERLY PART OF
SANTA ROSA ISLAND NATIONAL MONUMENT
AND THAT WAS CONVEYED TO ESCAMBIA
COUNTY SUBJECT TO RESTRICTIONS ON USE
AND RECONVEYANCE.**

[Showing the texts of H.R. 2954, H.R. 585, H.R. 1170, H.R. 819, H.R. 908, H.R. 657 as reported by the Committee on Natural Resources; H.R. 2095, H.R. 3492, H.R. 3188 as ordered reported by the Committee on Natural Resources; and the text of H.R. 739 as passed by the House in Title XI, subtitle D of H.R. 2642.]

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Public Access and
3 Lands Improvement Act”.

4 **TITLE I—SANTA ROSA ISLAND**
5 **TITLE FAIRNESS AND LAND**
6 **PRESERVATION ACT**

7 **SEC. 101. SHORT TITLE.**

8 This title may be cited as the “Santa Rosa Island
9 Title Fairness and Land Preservation Act”.

1 **SEC. 102. CONVEYANCE OF PROPERTY.**

2 (a) CONVEYANCE FREE OF RESTRICTIONS.—Not-
3 withstanding the restrictions on conveyance of property lo-
4 cated on Santa Rosa Island, Florida, contained in the Act
5 of July 30, 1946 (chapter 699; 70 Stat. 712), and the
6 deed to the property from the United States to Escambia
7 County, Florida, dated January 15, 1947, Escambia
8 County may, at its discretion, convey or otherwise dispose
9 of all of its right, title, and interest (in whole or in part),
10 in and to any portion of the property that was conveyed
11 to it pursuant to that Act and deed, to any person or enti-
12 ty, free from any restriction on conveyance or reconvey-
13 ance imposed by the United States in that Act or deed.
14 Any conveyance under this subsection shall be subject to
15 the conditions set forth in subsection (c).

16 (b) LEASEHOLD INTERESTS.—No person or entity
17 holding a leasehold interest in the property as of the date
18 of the enactment of this Act shall be required to involun-
19 tarily accept a fee interest in lieu of their leasehold inter-
20 est in the property.

21 (c) CONDITIONS.—Any conveyance under subsection
22 (a) shall be subject to the following conditions:

23 (1) Not later than two calendar years after the
24 date of the enactment of this Act, Escambia County
25 shall convey to Santa Rosa County all right, title,
26 and interest held in and to any portion of the prop-

1 erty that was conveyed to Escambia County under
2 the Act and deed that fall in the jurisdictional
3 boundaries of Santa Rosa County, Florida. The con-
4 veyance by Escambia County to Santa Rosa County
5 shall be absolute and shall terminate any subjugation
6 of Santa Rosa County to Escambia County or
7 any regulation of Santa Rosa County by Escambia
8 County. Santa Rosa County shall not be required to
9 pay any sum for the subject property other than actual
10 costs associated with the conveyance.

11 (2) Santa Rosa County or any other person to
12 which property is conveyed under this title may re-
13 convey property, or any portion of property, conveyed
14 to it under this section.

15 (3) For all properties defined under subsection
16 (a) the leaseholders, or owners are free to pursue incorporation,
17 annexation, or any other governmental status so long as all other
18 legal conditions required for doing so are followed.

20 (4) Each property defined under subsection (a)
21 is under the jurisdiction of the county and any other
22 local government entity in which the property is located.
23 cated.

24 (5) Any proceeds from the conveyance of any
25 property defined under subsection (a) by Escambia

1 County or Santa Rosa County, other than direct and
2 incidental costs associated with such conveyance,
3 shall be considered windfall profits and shall revert
4 to the United States.

5 (6) Escambia County and Santa Rosa County
6 shall in perpetuity preserve those areas on Santa
7 Rosa Island currently dedicated to conservation,
8 preservation, public, recreation, access and public
9 parking in accordance with resolutions heretofore
10 adopted by the Board of County Commissioners of
11 each respective county.

12 (d) DETERMINATION OF COMPLIANCE.—Escambia
13 County and Santa Rosa County shall have no deadline or
14 requirement to make any conveyance or reconveyance of
15 any property defined under subsection (a) other than the
16 conveyance required under subsection (c)(1). Each county
17 may establish terms for conveyance or reconveyance, sub-
18 ject to the conditions set forth in this title and applicable
19 State law.

20 **TITLE II—ANCHORAGE LAND** 21 **CONVEYANCE ACT**

22 **SEC. 201. SHORT TITLE.**

23 This title may be cited as the “Anchorage Land Con-
24 veyance Act of 2014”.

1 **SEC. 202. DEFINITIONS.**

2 In this title:

3 (1) CITY.—The term “City” means the city of
4 Anchorage, Alaska.

5 (2) NON-FEDERAL LAND.—The term “non-Fed-
6 eral land” means certain parcels of land located in
7 the City and owned by the City, which are more par-
8 ticularly described as follows:

9 (A) Block 42, Original Townsite of An-
10 chorage, Anchorage Recording District, Third
11 Judicial District, State of Alaska, consisting of
12 approximately 1.93 acres, commonly known as
13 the Egan Center, Petrovich Park, and Old City
14 Hall.

15 (B) Lots 9, 10, and 11, Block 66, Original
16 Townsite of Anchorage, Anchorage Recording
17 District, Third Judicial District, State of Alas-
18 ka, consisting of approximately 0.48 acres, com-
19 monly known as the parking lot at 7th Avenue
20 and I Street.

21 (C) Lot 13, Block 15, Original Townsite of
22 Anchorage, Anchorage Recording District,
23 Third Judicial District, State of Alaska, con-
24 sisting of approximately 0.24 acres, an unim-
25 proved vacant lot located at H Street and
26 Christensen Drive.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 **SEC. 203. CONVEYANCE OF REVERSIONARY INTERESTS, AN-**
4 **CHORAGE, ALASKA.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, the Secretary shall convey to the City, without
7 consideration, the reversionary interests of the United
8 States in and to the non-Federal land for the purpose of
9 unencumbering the title to the non-Federal land to enable
10 economic development of the non-Federal land.

11 (b) LEGAL DESCRIPTIONS.—As soon as practicable
12 after the date of enactment of this Act, the exact legal
13 descriptions of the non-Federal land shall be determined
14 in a manner satisfactory to the Secretary.

15 (c) ADDITIONAL TERMS AND CONDITIONS.—The
16 Secretary may require such additional terms and condi-
17 tions to the conveyance under subsection (a) as the Sec-
18 retary considers appropriate to protect the interests of the
19 United States.

20 (d) COSTS.—The City shall pay all costs associated
21 with the conveyance under subsection (a), including the
22 costs of any surveys, recording costs, and other reasonable
23 costs.

1 **TITLE III—FERNLEY ECONOMIC**
2 **SELF-DETERMINATION ACT**

3 **SEC. 301. DEFINITIONS.**

4 In this title:

5 (1) CITY.—The term “City” means the City of
6 Fernley, Nevada.

7 (2) FEDERAL LAND.—The term “Federal land”
8 means the approximately 9,407 acres of land located
9 in the City of Fernley, Nevada, that is identified by
10 the Secretary and the City for conveyance under this
11 title.

12 (3) MAP.—The term “map” means the map en-
13 titled “Proposed Fernley, Nevada, Land Sales” and
14 dated January 25, 2013.

15 **SEC. 302. CONVEYANCE OF CERTAIN FEDERAL LAND TO**
16 **CITY OF FERNLEY, NEVADA.**

17 (a) CONVEYANCE AUTHORIZED.—Subject to valid ex-
18 isting rights and not later than 180 days after the date
19 on which the Secretary of the Interior receives an offer
20 from the City to purchase the Federal land depicted on
21 the map, the Secretary, acting through the Bureau of
22 Land Management and the Bureau of Reclamation, shall
23 convey, notwithstanding the land use planning require-
24 ments of sections 202 and 203 of the Federal Land Policy
25 and Management Act of 1976 (43 U.S.C. 1712, 1713),

1 to the City in exchange for consideration in an amount
2 equal to the fair market value of the Federal land, all
3 right, title, and interest of the United States in and to
4 such Federal land.

5 (b) APPRAISAL TO DETERMINE FAIR MARKET
6 VALUE.—The Secretary shall determine the fair market
7 value of the Federal land to be conveyed—

8 (1) in accordance with the Federal Land Policy
9 and Management Act of 1976 (43 U.S.C. 1701 et
10 seq.); and

11 (2) based on an appraisal that is conducted in
12 accordance with nationally recognized appraisal
13 standards, including—

14 (A) the Uniform Appraisal Standards for
15 Federal Land Acquisition; and

16 (B) the Uniform Standards of Professional
17 Appraisal Practice.

18 (c) AVAILABILITY OF MAP.—The map shall be on file
19 and available for public inspection in the appropriate of-
20 fices of the Bureau of Land Management.

21 (d) RESERVATION OF EASEMENTS AND RIGHTS-OF-
22 WAY.—The City and the Bureau of Reclamation may re-
23 tain easements or rights-of-way on the Federal land to be
24 conveyed, including easements or rights-of-way the Bu-

1 reau of Reclamation determines are necessary to carry
2 out—

- 3 (1) the operation and maintenance of the
4 Truckee Canal; or
5 (2) the Newlands Project.

6 (e) COSTS.—The City shall, at closing for the convey-
7 ance authorized under subsection (a), pay or reimburse
8 the Secretary, as appropriate, for the reasonable trans-
9 action and administrative personnel costs associated with
10 the conveyance authorized under such subsection, includ-
11 ing the costs of appraisal, title searches, maps, and bound-
12 ary and cadastral surveys.

13 (f) CONVEYANCE NOT A MAJOR FEDERAL ACTION.—
14 A conveyance or a combination of conveyances made under
15 this section shall not be considered a major Federal action
16 for purposes of section 102(2) of the National Environ-
17 mental Policy Act of 1969 (42 U.S.C. 4332(2)).

18 **SEC. 303. RELEASE OF UNITED STATES.**

19 Upon making the conveyance under section 302, not-
20 withstanding any other provision of law, the United States
21 is released from any and all liabilities or claims of any
22 kind or nature arising from the presence, release, or threat
23 of release of any hazardous substance, pollutant, contami-
24 nant, petroleum product (or derivative of a petroleum
25 product of any kind), solid waste, mine materials or min-

1 ing related features (including tailings, overburden, waste
2 rock, mill remnants, pits, or other hazards resulting from
3 the presence of mining related features) on the Federal
4 land in existence on or before the date of the conveyance.

5 **SEC. 304. WITHDRAWAL.**

6 Subject to valid existing rights, the Federal land to
7 be conveyed under section 302 of this title shall be with-
8 drawn from all forms of—

9 (1) entry, appropriation, or disposal under the
10 public land laws;

11 (2) location, entry, and patent under the mining
12 laws; and

13 (3) disposition under the mineral leasing, min-
14 eral materials, and geothermal leasing laws.

15 **TITLE IV—LAND DISPOSAL**
16 **TRANSPARENCY AND EFFI-**
17 **CIENCY ACT**

18 **SEC. 401. PROHIBITION ON ACQUISITION OF LAND.**

19 (a) **SHORT TITLE.**—This title may be cited as the
20 “Land Disposal Transparency and Efficiency Act”.

21 (b) **PROHIBITION ON ACQUISITION OF LAND.**—No
22 land or interests in land may be added by acquisition, do-
23 nation, transfer of administrative jurisdiction, or other-
24 wise to the inventory of land and interests in land adminis-
25 tered by the Bureau of Land Management until a central-

1 ized database of all lands identified as suitable for disposal
2 by Resource Management Plans for lands under the ad-
3 ministrative jurisdiction of the Bureau is easily accessible
4 to the public on a website of the Bureau. The database
5 required under this subsection shall be updated and main-
6 tained to reflect changes in the status of lands identified
7 for disposal under the administrative jurisdiction of the
8 Bureau.

9 (c) REPORT.—Not later than 90 days after the date
10 of the enactment of this Act, the Secretary of the Interior
11 shall provide to the Committee on Natural Resources in
12 the House of Representatives and the Committee on En-
13 ergy and Natural Resources in the Senate a report detail-
14 ing the status and timing for completion of the database
15 required by subsection (b).

16 **TITLE V—PRESERVING ACCESS**
17 **TO CAPE HATTERAS NA-**
18 **TIONAL SEASHORE REC-**
19 **REATIONAL AREA ACT**

20 **SEC. 501. SHORT TITLE.**

21 This title may be cited as the “Preserving Access to
22 Cape Hatteras National Seashore Recreational Area Act”.

1 **SEC. 502. REINSTATEMENT OF INTERIM MANAGEMENT**
2 **STRATEGY.**

3 (a) MANAGEMENT.—After the date of the enactment
4 of this Act, Cape Hatteras National Seashore Recreational
5 Area shall be managed in accordance with the Interim
6 Protected Species Management Strategy/Environmental
7 Assessment issued by the National Park Service on June
8 13, 2007, for the Cape Hatteras National Seashore Rec-
9 reational Area, North Carolina, unless the Secretary of the
10 Interior (hereafter in this title referred to as the “Sec-
11 retary”) issues a new final rule that meets the require-
12 ments set forth in section 503.

13 (b) RESTRICTIONS.—The Secretary shall not impose
14 any additional restrictions on pedestrian or motorized ve-
15 hicular access to any portion of Cape Hatteras National
16 Seashore Recreational Area for species protection beyond
17 those in the Interim Management Strategy, other than as
18 specifically authorized pursuant to section 503 of this title.

19 **SEC. 503. ADDITIONAL RESTRICTIONS ON ACCESS TO CAPE**
20 **HATTERAS NATIONAL SEASHORE REC-**
21 **REATIONAL AREA FOR SPECIES PROTEC-**
22 **TION.**

23 (a) IN GENERAL.—If, based on peer-reviewed science
24 and after public comment, the Secretary determines that
25 additional restrictions on access to a portion of the Cape
26 Hatteras National Seashore Recreational Area are nec-

1 essary to protect species listed as endangered under the
2 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),
3 the Secretary may only restrict, by limitation, closure,
4 buffer, or otherwise, pedestrian and motorized vehicular
5 access for recreational activities for the shortest possible
6 time and on the smallest possible portions of the Cape
7 Hatteras National Seashore Recreational Area.

8 (b) LIMITATION ON RESTRICTIONS.—Restrictions
9 imposed under this section for protection of species listed
10 as endangered under the Endangered Species Act of 1973
11 (16 U.S.C. 1531 et seq.) shall not be greater than the
12 restrictions in effect for that species at any other National
13 Seashore.

14 (c) CORRIDORS AROUND CLOSURES.—To the max-
15 imum extent possible, the Secretary shall designate pedes-
16 trian and vehicular corridors of minimal distance on the
17 beach or interdunal area around closures implemented
18 under this section to allow access to areas not closed.

19 **SEC. 504. INAPPLICABILITY OF FINAL RULE AND CONSENT**
20 **DEGREE.**

21 (a) FINAL RULE.—The final rule titled “Special Reg-
22 ulations, Areas of the National Park System, Cape Hat-
23 teras National Seashore—Off-Road Vehicle Management”
24 (77 Fed. Reg. 3123–3144) shall have no force or effect
25 after the date of the enactment of this Act.

1 (b) CONSENT DECREE.—The April 30, 2008, consent
2 decree filed in the United States District Court for the
3 Eastern District of North Carolina regarding off-road ve-
4 hicle use at Cape Hatteras National Seashore in North
5 Carolina shall not apply after the date of the enactment
6 of this Act.

7 **TITLE VI—GREEN MOUNTAIN**
8 **LOOKOUT HERITAGE PRO-**
9 **TECTION ACT**

10 **SEC. 601. SHORT TITLE.**

11 This title may be cited as the “Green Mountain Look-
12 out Heritage Protection Act”.

13 **SEC. 602. CLARIFICATION OF LEGAL AUTHORITY OF GREEN**
14 **MOUNTAIN LOOKOUT.**

15 (a) LEGAL AUTHORITY OF LOOKOUT.—Section 4(b)
16 of the Washington State Wilderness Act of 1984 (Public
17 Law 98–339; 98 Stat. 300; 16 U.S.C. 1131 note) is
18 amended by striking the period at the end and inserting
19 the following: “, and except that with respect to the lands
20 described in section 3(5), the designation of such lands
21 as a wilderness area shall not preclude the operation and
22 maintenance of Green Mountain Lookout.”

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect as if included in the enact-
25 ment of the Washington State Wilderness Act of 1984.

1 **SEC. 603. PRESERVATION OF GREEN MOUNTAIN LOOKOUT**

2 **LOCATION.**

3 The Secretary of Agriculture, acting through the
4 Chief of the Forest Service, may not move Green Moun-
5 tain Lookout from its current location on Green Mountain
6 in the Mount Baker-Snoqualmie National Forest unless
7 the Secretary determines that moving Green Mountain
8 Lookout is necessary to preserve the Lookout or to ensure
9 the safety of individuals on or around Green Mountain.
10 If the Secretary makes such a determination, the Sec-
11 retary shall move the Green Mountain Lookout to a loca-
12 tion outside of the lands described in section 3(5) of the
13 Washington State Wilderness Act of 1984 and designated
14 as a wilderness area in section 4(b) of such Act.

15 **TITLE VII—RIVER PADDLING**
16 **PROTECTION ACT**

17 **SEC. 701. SHORT TITLE.**

18 This title may be cited as the “River Paddling Protec-
19 tion Act”.

20 **SEC. 702. REGULATIONS SUPERSEDED.**

21 (a) IN GENERAL.—The rivers and streams of Yellow-
22 stone National Park and Grand Teton National Park shall
23 be open to hand-propelled vessels as determined by the
24 director of the National Park Service within 3 years of
25 the date of enactment of this Act. Beginning on the date
26 that is 3 years after the date of enactment of this Act,

1 the following regulations shall have no the force or effect
2 regarding closing rivers and streams of Yellowstone Na-
3 tional Park and Grand Teton National Park to hand-pro-
4 pelled vessels:

5 (1) Section 7.13(d)(4)(ii) of title 36, Code of
6 Federal Regulations, regarding vessels on streams
7 and rivers in Yellowstone National Park.

8 (2) Section 7.22(e)(3) of title 36, Code of Fed-
9 eral Regulations, regarding vessels on lakes and riv-
10 ers in Grand Teton National Park.

11 (b) COORDINATION OF RECREATIONAL USE.—The
12 Fish and Wildlife Service shall coordinate any recreational
13 use of hand-propelled vessels on the Gros Ventre River
14 within the National Elk Refuge with Grand Teton Na-
15 tional Park to ensure such use is consistent with the re-
16 quirements of the National Wildlife Refuge Administra-
17 tion Act.

18 **TITLE VIII—GRAZING** 19 **IMPROVEMENT ACT**

20 **SEC. 801. SHORT TITLE.**

21 This title may be cited as the “Grazing Improvement
22 Act”.

23 **SEC. 802. TERMS OF GRAZING PERMITS AND LEASES.**

24 Section 402 of the Federal Land Policy and Manage-
25 ment Act of 1976 (43 U.S.C. 1752) is amended—

1 (1) by striking “ten years” each place it ap-
2 pears and inserting “20 years”;

3 (2) in subsection (b)—

4 (A) by striking “or” at the end of each of
5 paragraphs (1) and (2);

6 (B) in paragraph (3), by striking the pe-
7 riod at the end and inserting “; or”; and

8 (C) by adding at the end the following:

9 “(4) the initial environmental analysis under
10 National Environmental Policy Act of 1969 (42
11 U.S.C. 4321 et seq.) regarding a grazing allotment,
12 permit, or lease has not been completed.”; and

13 (3) after subsection (h), insert the following
14 new subsection:

15 “(i) Only applicants, permittees and lessees whose in-
16 terest in grazing livestock is directly affected by a final
17 grazing decision may appeal the decision to an administra-
18 tive law judge.”.

19 **SEC. 803. RENEWAL, TRANSFER, AND REISSUANCE OF**
20 **GRAZING PERMITS AND LEASES.**

21 (a) AMENDMENT.—Title IV of the Federal Land Pol-
22 icy and Management Act of 1976 (43 U.S.C. 1751 et seq.)
23 is amended by adding at the end the following:

1 **“SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF**
2 **GRAZING PERMITS AND LEASES.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) CURRENT GRAZING MANAGEMENT.—The
5 term ‘current grazing management’ means grazing
6 in accordance with the terms and conditions of an
7 existing permit or lease and includes any modifica-
8 tions that are consistent with an applicable Depart-
9 ment of Interior resource management plan or De-
10 partment of Agriculture land use plan.

11 “(2) SECRETARY CONCERNED.—The term ‘Sec-
12 retary concerned’ means—

13 “(A) the Secretary of Agriculture, with re-
14 spect to National Forest System land; and

15 “(B) the Secretary of the Interior, with re-
16 spect to land under the jurisdiction of the De-
17 partment of the Interior.

18 “(b) RENEWAL, TRANSFER, REISSUANCE, AND
19 PENDING PROCESSING.—A grazing permit or lease issued
20 by the Secretary of the Interior, or a grazing permit issued
21 by the Secretary of Agriculture regarding National Forest
22 System land, that expires, is transferred, or is waived shall
23 be renewed or reissued under, as appropriate—

24 “(1) section 402;

1 “(2) section 19 of the Act of April 24, 1950
2 (commonly known as the ‘Granger-Thye Act’; 16
3 U.S.C. 580l);

4 “(3) title III of the Bankhead-Jones Farm Ten-
5 ant Act (7 U.S.C. 1010 et seq.); or

6 “(4) section 510 the California Desert Protec-
7 tion Act of 1994 (16 U.S.C. 410aaa–50).

8 “(c) TERMS; CONDITIONS.—The terms and condi-
9 tions (except the termination date) contained in an ex-
10 pired, transferred, or waived permit or lease described in
11 subsection (b) shall continue in effect under a renewed or
12 reissued permit or lease until the date on which the Sec-
13 retary concerned completes the processing of the renewed
14 or reissued permit or lease that is the subject of the ex-
15 pired, transferred, or waived permit or lease, in compli-
16 ance with each applicable law.

17 “(d) CANCELLATION; SUSPENSION; MODIFICA-
18 TION.—Notwithstanding subsection (c), a permit or lease
19 described in subsection (b) may be cancelled, suspended,
20 or modified in accordance with applicable law.

21 “(e) RENEWAL TRANSFER REISSUANCE AFTER
22 PROCESSING.—When the Secretary concerned has com-
23 pleted the processing of the renewed or reissued permit
24 or lease that is the subject of the expired, transferred, or
25 waived permit or lease, the Secretary concerned shall

1 renew or reissue the permit or lease for a term of 20 years
2 after completion of processing.

3 “(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL
4 POLICY ACT OF 1969.—The renewal, reissuance, or trans-
5 fer of a grazing permit or lease by the Secretary concerned
6 shall be categorically excluded from the requirement to
7 prepare an environmental assessment or an environmental
8 impact statement if—

9 “(1) the decision continues to renew, reissue, or
10 transfer the current grazing management of the al-
11 lotment;

12 “(2) monitoring of the allotment has indicated
13 that the current grazing management has met, or
14 has satisfactorily progressed towards meeting, objec-
15 tives contained in the land use and resource manage-
16 ment plan of the allotment, as determined by the
17 Secretary concerned; or

18 “(3) the decision is consistent with the policy of
19 the Department of the Interior or the Department
20 of Agriculture, as appropriate, regarding extraor-
21 dinary circumstances.

22 “(g) PRIORITY AND TIMING FOR COMPLETING ENVI-
23 RONMENTAL ANALYSES.—The Secretary concerned, in the
24 sole discretion of the Secretary concerned, shall determine
25 the priority and timing for completing each required envi-

1 ronmental analysis regarding any grazing allotment, per-
2 mit, or lease based on the environmental significance of
3 the allotment, permit, or lease and available funding for
4 that purpose.

5 “(h) NEPA EXEMPTIONS.—The National Environ-
6 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall
7 not apply to the following:

8 “(1) Crossing and trailing authorizations of do-
9 mestic livestock.

10 “(2) Transfer of grazing preference.

11 “(3) Range improvements as defined under 43
12 U.S.C. 315c and 16 U.S.C. 580h.”.

13 (b) TABLE OF CONTENTS.—The table of contents for
14 the Federal Land Policy and Management Act of 1976
15 is amended by adding after the item for section 404, the
16 following:

“Sec. 405. Renewal, transfer, and reissuance of grazing permits and leases.”.

17 **TITLE IX—RIM FIRE**
18 **EMERGENCY SALVAGE ACT**

19 **SEC. 901. SHORT TITLE.**

20 This title may be cited as the “Rim Fire Emergency
21 Salvage Act”.

22 **SEC. 902. EXPEDITED SALVAGE TIMBER SALES IN RE-**
23 **SPONSE TO THE CALIFORNIA RIM FIRE.**

24 (a) SALVAGE TIMBER SALES REQUIRED.—As part of
25 the restoration and rehabilitation activities undertaken on

1 the lands within the Stanislaus National Forest and the
2 Bureau of Land Management lands adversely impacted by
3 the 2013 Rim Fire in California, the Secretary of Agri-
4 culture, with respect to affected Stanislaus National For-
5 est lands, and the Secretary of the Interior, with respect
6 to affected Bureau of Land Management lands, shall
7 promptly plan and implement salvage timber sales of dead,
8 damaged, or downed timber resulting from that wildfire.

9 (b) EXPEDITED IMPLEMENTATION.—

10 (1) LEGAL SUFFICIENCY.—Due to the extraor-
11 dinary severity of the Rim Fire occurring on the
12 Federal lands described in subsection (a), salvage
13 timber sales conducted under such subsection shall
14 proceed immediately and to completion notwith-
15 standing any other provision of law, including the
16 National Environmental Policy Act of 1969 (42
17 U.S.C. 4321 et seq.), section 14 of the National
18 Forest Management Act of 1976 (16 U.S.C. 472a),
19 the Forest and Rangeland Renewable Resources
20 Planning Act of 1974 (16 U.S.C. 1600 et seq.), and
21 the Federal Land Policy and Management Act of
22 1976 (43 U.S.C. 1701 et seq.).

23 (2) ADMINISTRATIVE AND JUDICIAL REVIEW.—

24 Salvage timber sales conducted under subsection (a)
25 shall not be subject to—

1 (A) administrative review, including, in the
2 case of the Forest Service, the notice, comment,
3 and appeal requirements of section 322 of the
4 Department of the Interior and Related Agen-
5 cies Appropriations Act, 1993 (Public Law
6 102–381; 16 U.S.C. 1612 note); or

7 (B) judicial review in any court of the
8 United States.

9 **TITLE X—CHESAPEAKE BAY AC-**
10 **COUNTABILITY AND RECOV-**
11 **ERY ACT**

12 **SEC. 1001. SHORT TITLE.**

13 This title may be cited as the “Chesapeake Bay Ac-
14 countability and Recovery Act of 2014”.

15 **SEC. 1002. CHESAPEAKE BAY CROSSCUT BUDGET.**

16 (a) CROSSCUT BUDGET.—The Director, in consulta-
17 tion with the Chesapeake Executive Council, the chief ex-
18 ecutive of each Chesapeake Bay State, and the Chesa-
19 peake Bay Commission, shall submit to Congress a finan-
20 cial report containing—

21 (1) an interagency crosscut budget that dis-
22 plays—

23 (A) the proposed funding for any Federal
24 restoration activity to be carried out in the suc-
25 ceeding fiscal year, including any planned inter-

1 agency or intra-agency transfer, for each of the
2 Federal agencies that carry out restoration ac-
3 tivities;

4 (B) to the extent that information is avail-
5 able, the estimated funding for any State res-
6 toration activity to be carried out in the suc-
7 ceeding fiscal year;

8 (C) all expenditures for Federal restoration
9 activities from the preceding 2 fiscal years, the
10 current fiscal year, and the succeeding fiscal
11 year; and

12 (D) all expenditures, to the extent that in-
13 formation is available, for State restoration ac-
14 tivities during the equivalent time period de-
15 scribed in subparagraph (C);

16 (2) a detailed accounting of all funds received
17 and obligated by all Federal agencies for restoration
18 activities during the current and preceding fiscal
19 years, including the identification of funds which
20 were transferred to a Chesapeake Bay State for res-
21 toration activities;

22 (3) to the extent that information is available,
23 a detailed accounting from each State of all funds
24 received and obligated from a Federal agency for

1 restoration activities during the current and pre-
2 ceding fiscal years; and

3 (4) a description of each of the proposed Fed-
4 eral and State restoration activities to be carried out
5 in the succeeding fiscal year (corresponding to those
6 activities listed in subparagraphs (A) and (B) of
7 paragraph (1)), including the—

8 (A) project description;

9 (B) current status of the project;

10 (C) Federal or State statutory or regu-
11 latory authority, programs, or responsible agen-
12 cies;

13 (D) authorization level for appropriations;

14 (E) project timeline, including benchmarks;

15 (F) references to project documents;

16 (G) descriptions of risks and uncertainties
17 of project implementation;

18 (H) adaptive management actions or
19 framework;

20 (I) coordinating entities;

21 (J) funding history;

22 (K) cost sharing; and

23 (L) alignment with existing Chesapeake
24 Bay Agreement and Chesapeake Executive
25 Council goals and priorities.

1 (b) MINIMUM FUNDING LEVELS.—The Director shall
2 only describe restoration activities in the report required
3 under subsection (a) that—

4 (1) for Federal restoration activities, have fund-
5 ing amounts greater than or equal to \$100,000; and

6 (2) for State restoration activities, have funding
7 amounts greater than or equal to \$50,000.

8 (c) DEADLINE.—The Director shall submit to Con-
9 gress the report required by subsection (a) not later than
10 30 days after the submission by the President of the Presi-
11 dent’s annual budget to Congress.

12 (d) REPORT.—Copies of the financial report required
13 by subsection (a) shall be submitted to the Committees
14 on Appropriations, Natural Resources, Energy and Com-
15 merce, and Transportation and Infrastructure of the
16 House of Representatives and the Committees on Appro-
17 priations, Environment and Public Works, and Commerce,
18 Science, and Transportation of the Senate.

19 (e) EFFECTIVE DATE.—This section shall apply be-
20 ginning with the first fiscal year after the date of enact-
21 ment of this Act for which the President submits a budget
22 to Congress.

1 **SEC. 1003. RESTORATION THROUGH ADAPTIVE MANAGE-**
2 **MENT.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Administrator, in con-
5 sultation with other Federal and State agencies, and with
6 the participation of stakeholders, shall develop a plan to
7 provide technical and financial assistance to Chesapeake
8 Bay States to employ adaptive management in carrying
9 out restoration activities in the Chesapeake Bay water-
10 shed.

11 (b) PLAN DEVELOPMENT.—The plan referred to in
12 subsection (a) shall include—

13 (1) specific and measurable objectives to im-
14 prove water quality, habitat, and fisheries identified
15 by Chesapeake Bay States;

16 (2) a process for stakeholder participation;

17 (3) monitoring, modeling, experimentation, and
18 other research and evaluation technical assistance
19 requested by Chesapeake Bay States;

20 (4) identification of State restoration activities
21 planned by Chesapeake Bay States to attain the
22 State's objectives under paragraph (1);

23 (5) identification of Federal restoration activi-
24 ties that could help a Chesapeake Bay State to at-
25 tain the State's objectives under paragraph (1);

1 (6) recommendations for a process for modifica-
2 tion of State and Federal restoration activities that
3 have not attained or will not attain the specific and
4 measurable objectives set forth under paragraph (1);
5 and

6 (7) recommendations for a process for inte-
7 grating and prioritizing State and Federal restora-
8 tion activities and programs to which adaptive man-
9 agement can be applied.

10 (c) IMPLEMENTATION.—In addition to carrying out
11 Federal restoration activities under existing authorities
12 and funding, the Administrator shall implement the plan
13 developed under subsection (a) by providing technical and
14 financial assistance to Chesapeake Bay States using re-
15 sources available for such purposes that are identified by
16 the Director under section 1002.

17 (d) UPDATES.—The Administrator shall update the
18 plan developed under subsection (a) every 2 years.

19 (e) REPORT TO CONGRESS.—

20 (1) IN GENERAL.—Not later than 60 days after
21 the end of a fiscal year, the Administrator shall
22 transmit to Congress an annual report on the imple-
23 mentation of the plan required under this section for
24 such fiscal year.

1 (2) CONTENTS.—The report required under
2 paragraph (1) shall contain information about the
3 application of adaptive management to restoration
4 activities and programs, including level changes im-
5 plemented through the process of adaptive manage-
6 ment.

7 (3) EFFECTIVE DATE.—Paragraph (1) shall
8 apply to the first fiscal year that begins after the
9 date of enactment of this Act.

10 (f) INCLUSION OF PLAN IN ANNUAL ACTION PLAN
11 AND ANNUAL PROGRESS REPORT.—The Administrator
12 shall ensure that the Annual Action Plan and Annual
13 Progress Report required by section 205 of Executive
14 Order 13508 includes the adaptive management plan out-
15 lined in subsection (a).

16 **SEC. 1004. INDEPENDENT EVALUATOR FOR THE CHESA-**
17 **PEAKE BAY PROGRAM.**

18 (a) IN GENERAL.—There shall be an Independent
19 Evaluator for restoration activities in the Chesapeake Bay
20 watershed, who shall review and report on restoration ac-
21 tivities and the use of adaptive management in restoration
22 activities, including on such related topics as are suggested
23 by the Chesapeake Executive Council.

24 (b) APPOINTMENT.—

1 (1) IN GENERAL.—The Independent Evaluator
2 shall be appointed by the Administrator from among
3 nominees submitted by the Chesapeake Executive
4 Council.

5 (2) NOMINATIONS.—The Chesapeake Executive
6 Council may submit to the Administrator 4 nomi-
7 nees for appointment to any vacancy in the office of
8 the Independent Evaluator.

9 (c) REPORTS.—The Independent Evaluator shall sub-
10 mit a report to the Congress every 2 years in the findings
11 and recommendations of reviews under this section.

12 (d) CHESAPEAKE EXECUTIVE COUNCIL.—In this sec-
13 tion, the term “Chesapeake Executive Council” has the
14 meaning given that term by section 307 of the National
15 Oceanic and Atmospheric Administration Authorization
16 Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

17 **SEC. 1005. DEFINITIONS.**

18 In this title, the following definitions apply:

19 (1) ADAPTIVE MANAGEMENT.—The term
20 “adaptive management” means a type of natural re-
21 source management in which project and program
22 decisions are made as part of an ongoing science-
23 based process. Adaptive management involves test-
24 ing, monitoring, and evaluating applied strategies
25 and incorporating new knowledge into programs and

1 restoration activities that are based on scientific
2 findings and the needs of society. Results are used
3 to modify management policy, strategies, practices,
4 programs, and restoration activities.

5 (2) ADMINISTRATOR.—The term “Adminis-
6 trator” means the Administrator of the Environ-
7 mental Protection Agency.

8 (3) CHESAPEAKE BAY STATE.—The term
9 “Chesapeake Bay State” or “State” means the
10 States of Maryland, West Virginia, Delaware, and
11 New York, the Commonwealths of Virginia and
12 Pennsylvania, and the District of Columbia.

13 (4) CHESAPEAKE BAY WATERSHED.—The term
14 “Chesapeake Bay watershed” means the Chesapeake
15 Bay and the geographic area, as determined by the
16 Secretary of the Interior, consisting of 36 tributary
17 basins, within the Chesapeake Bay States, through
18 which precipitation drains into the Chesapeake Bay.

19 (5) CHIEF EXECUTIVE.—The term “chief exec-
20 utive” means, in the case of a State or Common-
21 wealth, the Governor of each such State or Common-
22 wealth and, in the case of the District of Columbia,
23 the Mayor of the District of Columbia.

1 (6) DIRECTOR.—The term “Director” means
2 the Director of the Office of Management and Budg-
3 et.

4 (7) STATE RESTORATION ACTIVITIES.—The
5 term “State restoration activities” means any State
6 programs or projects carried out under State author-
7 ity that directly or indirectly protect, conserve, or re-
8 store living resources, habitat, water resources, or
9 water quality in the Chesapeake Bay watershed, in-
10 cluding programs or projects that promote respon-
11 sible land use, stewardship, and community engage-
12 ment in the Chesapeake Bay watershed. Restoration
13 activities may be categorized as follows:

14 (A) Physical restoration.

15 (B) Planning.

16 (C) Feasibility studies.

17 (D) Scientific research.

18 (E) Monitoring.

19 (F) Education.

20 (G) Infrastructure development.

21 (8) FEDERAL RESTORATION ACTIVITIES.—The
22 term “Federal restoration activities” means any
23 Federal programs or projects carried out under ex-
24 isting Federal authority that directly or indirectly
25 protect, conserve, or restore living resources, habitat,

1 water resources, or water quality in the Chesapeake
2 Bay watershed, including programs or projects that
3 provide financial and technical assistance to promote
4 responsible land use, stewardship, and community
5 engagement in the Chesapeake Bay watershed. Res-
6 toration activities may be categorized as follows:

- 7 (A) Physical restoration.
- 8 (B) Planning.
- 9 (C) Feasibility studies.
- 10 (D) Scientific research.
- 11 (E) Monitoring.
- 12 (F) Education.
- 13 (G) Infrastructure development.

