

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1673
OFFERED BY MR. Grijalva

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Naval Air Weapons
3 Station China Lake Security Enhancement Act”.

**4 SEC. 2. NAVAL AIR WEAPONS STATION CHINA LAKE, CALI-
5 FORNIA: WITHDRAWAL AND RESERVATION
6 OF LANDS.**

7 (a) WITHDRAWAL.—The public lands and interests in
8 lands described in subsection (c), and all other areas with-
9 in the boundaries of such lands as depicted on the map
10 referred to in subsection (c) that may become subject to
11 the operation of the public land laws, are hereby with-
12 drawn (subject to section 3(c)) from all forms of appro-
13 priation under the public land laws, including the mining
14 laws and mineral leasing laws.

15 (b) RESERVATION; PURPOSE.—The public lands
16 withdrawn by subsection (a) are reserved for use by the
17 Secretary of the Navy for the following purposes:

1 (1) Use as a research, development, test, and
2 evaluation laboratory.

3 (2) Use as a range for air warfare weapons and
4 weapon systems.

5 (3) Use as a high-hazard testing and training
6 area for aerial gunnery, rocketry, electronic warfare
7 and countermeasures, tactical maneuvering and air
8 support, and directed energy and unmanned aerial
9 systems.

10 (4) Geothermal leasing, development, and re-
11 lated power production activities.

12 (5) Other defense-related purposes consistent
13 with the purposes specified in the preceding para-
14 graphs.

15 (c) **LAND DESCRIPTION.**—The public lands and in-
16 terests in lands withdrawn and reserved by this section
17 consist of approximately 1,045,000 acres in Inyo, Kern,
18 and San Bernardino Counties, California, as generally de-
19 picted on the map titled “Naval Air Weapons Station
20 China Lake Withdrawal - Renewal”, dated 2012, and filed
21 by the Secretary of the Interior.

22 **SEC. 3. CHINA LAKE: MANAGEMENT OF WITHDRAWN**
23 **LANDS.**

24 (a) **MANAGEMENT BY THE SECRETARY OF THE INTE-**
25 **RIOR.**—

1 (1) APPLICABLE LAW.—Except as provided in
2 subsection (b), during the period of the withdrawal
3 and reservation of public lands by section 2, the Sec-
4 retary of the Interior shall manage the lands in ac-
5 cordance with this section, the Federal Land Policy
6 and Management Act of 1976 (43 U.S.C. 1701 et
7 seq.), and other applicable law.

8 (2) NONDEFENSE RELATED MANAGEMENT PUR-
9 POSES.—To the extent consistent with applicable law
10 and Executive orders, the public lands withdrawn by
11 section 2 may be managed in a manner permitting—

12 (A) grazing;

13 (B) protection of wildlife and wildlife habi-
14 tat;

15 (C) preservation of cultural properties;

16 (D) control of predatory and other ani-
17 mals;

18 (E) recreation and education;

19 (F) prevention and appropriate suppres-
20 sion of brush and range fires resulting from
21 non-defense related activities; and

22 (G) geothermal leasing and development
23 and related power production activities.

24 (3) PRIORITY OF DEFENSE-RELATED USES.—

25 All nondefense-related uses of the public lands with-

1 drawn by section 2, including the uses described in
2 paragraph (2), shall be subject to such conditions
3 and restrictions as the Secretary of the Navy con-
4 siders necessary to permit the defense-related use of
5 the lands for the purposes specified in section 2(b).

6 (b) ASSIGNMENT OF MANAGEMENT.—

7 (1) ASSIGNMENT TO SECRETARY OF THE
8 NAVY.—The Secretary of the Interior may assign the
9 management responsibility, in whole or in part, for
10 the public lands withdrawn by section 2 to the Sec-
11 retary of the Navy who, if so assigned, shall manage
12 such lands in accordance with this section, title I of
13 the Sikes Act (16 U.S.C. 670a et seq.), the Federal
14 Land Policy and Management Act of 1976, and co-
15 operative management arrangements between the
16 Secretary of the Interior and the Secretary of the
17 Navy.

18 (2) RETENTION OF CERTAIN MANAGEMENT AU-
19 THORITIES.—The Secretary of the Interior shall be
20 responsible for the issuance of any lease, easement,
21 right-of-way, or other authorization with respect to
22 any activity which involves both public lands with-
23 drawn by section 2 and any other lands not under
24 the administrative jurisdiction of the Secretary of
25 the Navy. Any such authorization shall be issued

1 only with the consent of the Secretary of the Navy
2 and shall be subject to such conditions as the Sec-
3 retary of the Navy may prescribe with regard to the
4 lands withdrawn by such section.

5 (c) CONTINUATION OF GEOTHERMAL ACTIVITIES.—

6 (1) TREATMENT OF EXISTING LEASES.—Noth-
7 ing in this section shall affect—

8 (A) geothermal leases issued by the Sec-
9 retary of the Interior before the date of the en-
10 actment of this section and involving the public
11 lands withdrawn by section 2; or

12 (B) the responsibility of the Secretary of
13 the Interior to administer and manage such
14 leases consistent with this section.

15 (2) NEW LEASES; CONCURRENCE REQUIRED.—

16 This section shall not be construed to prohibit or
17 otherwise adversely impact—

18 (A) the Secretary of the Interior from
19 issuing and administering any lease pursuant to
20 the Geothermal Steam Act of 1970 (30 U.S.C.
21 1001 et seq.) and other applicable law for the
22 development and utilization of geothermal
23 steam and associated geothermal resources on
24 the public lands withdrawn by section 2, but

1 such a lease may not be issued without the con-
2 currence of the Secretary of the Navy; or

3 (B) the geothermal exploration and devel-
4 opment authority of the Secretary of the Navy
5 with respect to the public lands withdrawn by
6 section 2, except that the Secretary of the Navy
7 shall obtain the concurrence of the Secretary of
8 the Interior before taking action for geothermal
9 exploration and development.

10 (3) EFFECT OF TERMINATION OR REVOCATION
11 OF WITHDRAWAL.—Upon the termination of the
12 withdrawal and reservation under section 4 or relin-
13 quishment of the public lands withdrawn by section
14 2, Navy contracts for the development of geothermal
15 resources on the lands then in effect (as amended or
16 renewed by the Navy after the date of the enactment
17 of this section) shall remain in effect, except that
18 the Secretary of the Interior, with the consent of the
19 Secretary of the Navy, may offer to substitute a
20 standard geothermal lease for any such contract.

21 (d) MANAGEMENT OF WILD HORSES AND BUR-
22 ROS.—The Secretary of the Navy shall be responsible for
23 the management of wild horses and burros located on the
24 lands withdrawn by section 2. The Secretary may use heli-
25 copters and motorized vehicles for the management of

1 such wild horses and burros. Such management shall be
2 conducted in accordance with laws applicable to such man-
3 agement on public lands. The Secretary of the Interior
4 and the Secretary of the Navy shall enter into an agree-
5 ment for implementation of such management.

6 (e) CONTINUATION OF EXISTING AGREEMENT.—The
7 agreement between the Secretary of the Interior and the
8 Secretary of the Navy entered into before the date of the
9 enactment of this section pursuant to section 805 of the
10 California Military Lands Withdrawal and Overflights Act
11 of 1994 (title VIII of Public Law 103–433) shall continue
12 in effect until the earlier of—

13 (1) the date on which the Secretaries enter into
14 a new agreement; or

15 (2) the date that is one year after the date of
16 the enactment of this section.

17 (f) COOPERATION IN DEVELOPMENT OF MANAGE-
18 MENT PLAN.—

19 (1) IN GENERAL.—The Secretary of the Navy
20 and the Secretary of the Interior shall update and
21 maintain cooperative arrangements concerning land
22 resources and land uses on the public lands with-
23 drawn by section 2.

24 (2) TERMS.—Cooperative arrangements under
25 paragraph (1) shall focus on and apply to sustain-

1 able management and protection of the natural and
2 cultural resources and environmental values found
3 on the withdrawn lands, consistent with the defense-
4 related purposes for which those lands are with-
5 drawn.

6 (3) MANAGEMENT PLAN.—Each cooperative ar-
7 rangement under paragraph (1) shall include a com-
8 prehensive land use management plan which shall
9 integrate and be consistent with all applicable law,
10 including the requirements of title I of the Sikes Act
11 and the Federal Land Policy and Management Act
12 of 1976. Each such management plan shall be re-
13 viewed annually and shall be updated, as needed, in
14 response to evolving management requirements and
15 to complement the updates of other applicable land
16 use and resource management and planning.

17 (4) IMPLEMENTING AGREEMENT.—The Sec-
18 retary of the Interior and the Secretary of the Navy
19 may enter into a written agreement to implement
20 the comprehensive land use management plan devel-
21 oped under paragraph (3). The agreement shall in-
22 clude a provision for periodic review of the agree-
23 ment for its adequacy, effectiveness, and need for re-
24 vision. The duration of the agreement shall be the

1 same as the withdrawal period specified in section 4,
2 but may be amended from time to time.

3 **SEC. 4. CHINA LAKE: DURATION OF WITHDRAWAL AND RES-**
4 **ERVATION.**

5 The military land withdrawal made by section 2 shall
6 terminate on March 31, 2039.

Amend the title so as to read: “A bill to provide for the withdrawal and reservation of certain Federal land in the vicinity of Naval Air Weapons Station China Lake, California, for military use, and for other purposes.”.

