H.R. 7776 NDAA 2023 Title XXIX – Fallon Range Training Complex

(Preliminary Summary by NDOM, 12/12/22, subject to change)

1) **Fallon Range Training Complex (FRTC) Modernization**
   a) $159,866,000 Nevada appropriation for the Secretary of the Navy (SECNAV) to acquire real property, and carry out the military construction project for the installation or location of the FRTC expansion *(section 2201)*
   b) Approximate withdraw and reservation is 790,825 acres of land in Churchill County, Lyon County, Mineral County, Pershing County, and Nye County *(section 2981 (b))*
   c) FRTC land withdrawal expires November 6, 2047 *(section 2999A)*
   d) Integrated Natural Resources Management Plan (INRMP) *(section 2985)*
      i) An updated INRMP is required from the SECNAV within 2 years of enactment
      ii) Preparation of the INRMP by the SECNAV will be in coordination with the Secretary of the Interior (SECDOI), the State of Nevada, Churchill County, other impacted counties in the, and affected Indian Tribes *(section 2985 (a))*
      iii) Conflict resolution concerning contents or implementation of the INRMP will be resolved by the SECNAV, SECDOI and the state of Nevada *(section 2985 (b))*
      iv) Elements required in the plan can be found in section 2985 (c)
      v) Requires "periodic reviews" of the plan *(section 2985 (c) (9) (A))*
      vi) Requires county, tribe, and public comment and involvement in developing the INRMP *(section 2985 (c) (9) (B))*
   e) Use of Mineral Materials *(section 2986)*
      i) Only the navy can extract and utilize sand, gravel, or similar mineral materials resources
   f) Tribal access agreement and cultural resources survey *(section 2987)*
      i) The SECNAV will enter into an agreement with each affected Indian tribe within 120 days to establish access to cultural, religious, and archaeological resources of importance
2) **Bombing Ranges B-16, B-17, B-19, and B-20**
   a) Withdrawn from mineral entry, mineral leasing, and geothermal leasing *(section 2981 (a) (1))*
   b) Managed by the SECNAV in accordance with several management plans and agreements defined in the section 2982 (a)
   c) Will be closed to the public unless access is granted under written agreements as outlined in section 2982 (a), which pertain to big game hunting; tribal access for cultural, religious, and archaeological resources; and special events, administrative, cultural, educational, wildlife management, and emergency management purposes
   d) Ordnance landing outside the target areas will be removed and reported to the FRTC Intergovernmental Executive Committee as outlined in section 2983
   e) Access to the B-16 and B-20 Ranges by the Bureau of Reclamation (BMR) shall be maintained to conduct management activities specified in section 2984 (a)
3) **The Dixie Valley Training Area (DVTA) and the Shoal Site**
   a) Withdrawn from all forms of entry, appropriation, or disposal under the public land laws; location, entry, and patent under the mining laws *(section 2981 (a) (2))*
   b) Managed by the SECDOI in accordance with several management plans and agreements defined in the section 2982 (b)
   c) Access *(section 2982 (b) (4))*

i) Will remain open for public access for the duration of the withdrawal

d) Authorized uses *(section 2982 (b) (5))*

i) Livestock grazing

ii) Geothermal exploration and development west of SR 121 as managed by the BLM in coordination with the SECNAV

iii) Exploration and development of salable minerals or other fluid or leasable minerals as managed by the Bureau of Land Management (BLM) in coordination with the SECNAV

iv) Water and utility infrastructure as managed by the BLM in coordination with SECNAV

e) Secretary of Energy remains responsible and liable for the subsurface estate and activities at the Shoal Site *(section 2984 (b))*

4) Walker River Paiute Tribe Claims *(section 2988)*

a) $20,000,000 as payment to resolve claims of contamination, impairment, and loss of land use *(section 2988 (a))*

b) Ability to get additional lands after identifying them with Department of the Interior (DOI) *(section 2989 (c))*

c) 8,170 acres of BLM/Bureau of Reclamation (BOR) land in Churchill and Mineral counties conveyed to Walker River Paiute Trust *(section 2988 (c) (4))*

5) Fallon Paiute Shoshone Tribe *(section 2989)*

a) Subject to valid and existing rights approximately 10,000 acres of BLM/BOR land conveyed for "Reservation Expansion Land" *(section 2989 (a) (1-2))*

b) Requirement of SECNAV to survey and enter the lands into trust with 180 days of enactment *(section 2990 (a) (3))*

c) Required cooperative agreement with SECNAV for management of new lands *(section 2990 (a) (5))*

6)* Numu Newe Cultural Center *(section 2990)

a) $20,000,000 for Numu-Newe Cultural Center.

i) $10,000,000 for construction

ii) $10,000,000 for an endowment to fund operations

7) Road Reconstruction & Existing Rights-of-Way *(section 2991)*

a) Navy is required to rebuild the following roads according to alternative 2A from the Navy's March Road alignment study:

i) Lone Tree Road, State Route (SR) 361 (Gabbs Highway)

ii) Sand Canyon

b) No changes to Highway 50, SR 121, and SR 839

c) No changes to Churchill County owned Simpson Road, East County Road, Earthquake Fault Road, and Fairview Peak Road

d) All existing roads spelled out in the November 30, 2022, map shall remain open.

e) Churchill County Revised Statutes 2477 claims remain in effect

f) Nothing changes to the West-Wide energy corridor

g) Navy must allow 1 new transmission line through this corridor near B-16

h) All "Utility and Infrastructure Corridors" will be withdrawn from mineral entry, mineral leasing, and geothermal leasing, subject to valid and existing rights

8) Sage Grouse Study *(section 2992)*

a) SECNAV, SECDOI, and State of Nevada will conduct a study to assess impacts to the greater sage-grouse to military overflights within the FRTC

9) Grazing Permits *(section 2993)*

a) Grazing areas that are going away are called out in the November 30, 2022, map
b) SECNAV must help permittees obtain replacement forage and/or pay off permittees and costs of improvements
c) SECDOI will manage this process

10) Transfer of Land *(section 2994)*

a) SECNAV to transfer 86 acres in Churchill County for inclusion in the Sand Mountain Recreation Area

11) Reduction of Impact of FRTC Modernization *(section 2995)*

a) Several measures will be set to reduce impact on the land and local community through the development of binding and land management protocols including:
   i) Management plan with BOR for flood control infrastructure in B-16 and B-20
   ii) Access for research, resource management and other activities within the B-16, B-17, B-19, and B-230 Ranges
   iii) Wildlife friendly fences in coordination with Nevada Department of Wildlife (NDOW)
   iv) Buy out impacted portions and pay for relocation of Paiute Pipeline (gas)
   v) Accommodate 3 new utility/infrastructure corridors (One along SR 121, one north of Highway 50, and one existing east-west power line north of Highway 50)
   vi) Notify and make payments to impacted mining claim holders and water rights holders
   vii) Allow a right-of-way to accommodate I-11, which could also include a transmission corridor
   viii) Revise the applicable range operations manual
   ix) Include Crescent Valley and Eureka as noise-sensitive areas and do a 5-mile buffer around these areas
   x) 3-mile airspace exclusion zone over the Gabbs, Eureka, and Crescent Valley airports
   xi) Allow NDOW continued access for the spring and fall guzzler maintenance
   xii) Implement new management practices to reduce or avoid surface and ground water impacts from training exercises, and avoid placing targets near NDOW identified biologically sensitive areas
   xiii) Compensation agreements between the SECNAV and Churchill, Lyon, Mineral, and Pershing Counties for Payments in Lieu of Taxes (PILT)
   xiv) Consult with Tribe's and review & disclose impacts caused by the Navy to Fox Peak, Medicine Rock, and Fairview Mountain

12)* Intergovernmental Executive Committee (IEC) *(section 2997)

a) IEC is to be expanded to include Eureka County, Nevada Department of Agriculture, and the Nevada Division of Minerals

13) Tribal Liaison Office *(section 2998)*

a) SECNAV must establish and maintain a Tribal Liaison position

14) Numu Newe Special Management Area *(section 2902)*

a) 217,845 acres of public land in Churchill and Mineral Counties
b) Will have no more than 2 years after enactment to develop a comprehensive plan for the long-term management of the cultural area

15) National Conservation Areas (NCA) *(section 2903)*

a) Numunaa Nobe National Conservation Area

i) 160,224 acres of public land in Churchill County
ii) Withdrawn from mineral entry, mineral leasing, and geothermal leasing
iii) Certain areas may not be permitted for hunting fishing or trapping
iv) Grazing may continue

b) Pistone-Black Mountain National Conservation Area

i) 3,415 acres of public land in Mineral County
ii) Management plan to be developed no later than 2 years after enactment
iii) Withdrawn from mineral entry, mineral leasing, and geothermal leasing

16) Churchill County

a) Conveyances and Exchanges *(section 2907)*

i) Construction and operation of a new fire station
ii) Operation or expansion of an existing wastewater treatment facility
iii) Operation or expansion of existing gravel pits and rock quarries
iv) Operation or expansion of an existing city landfill
v) Conveyance of 6,892 acres of Federal land to the county for public purposes and the construction and operation of public recreational facilities
vi) Conveyance of 212 acres of Federal land to the city of Fallon
vii) SECNAV to enter agreement with Churchill County for land exchange as outlined in section 2907 (c)

b) Checkerboard Resolution *(section 2908)*

i) The SECDOI will offer to exchange BLM or BOR lands for private lands in Churchill County that are appropriate for disposal or exchange through a management plan as outlined in the section

c) Payment *(section 2982 (c) (3))*

i) Churchill County gets $20,000,000 to cover the impact of loss of county infrastructure and public access in new withdrawal areas.

d) Dixie Valley Water Project *(section 2996)*

i) FRTC withdrawal cannot interfere with Churchill County's Dixie Valley Water Project
ii) SECNAV to compensate county for any cost increases or changes to the project.

17) Lander County

a) Conveyances to Lander County *(section 2922)*

i) All withdrawals and changes are subject to the August 4, 2020, Lander County lands bill map.
ii) The DOI must convey all lands identified by Lander County within 60 days after the county identifies parcels of Federal land for use by the County for watershed protection, recreation, and parks.
iii) Kingston Airport: DOI must convey title to the land for the Kingston airport to the county so it can further its development. County must pay conveyance costs.

18) Wilderness Areas *(section 2905 (Churchill) section 2932 (Lander))*

a) Withdrawn from mineral entry, mineral leasing, and geothermal leasing
b) Grazing is allowed with approval from the DOI
c) DOI may enter into a cooperative agreement with NDOW for wildlife management activities within these areas

i) Churchill and Lander Counties County
   (1) Clan Alpine Mountains Wilderness – Churchill 128,362 acres
   (2) Desatoya Mountains Wilderness – Churchill 32,537 acres + Lander 7,766 acres = 40,303 acres
   (3) Cain Mountains Wilderness – Churchill 7,664 acres + Lander 6,386 acres = 14,050 acres

19) Release of Wilderness Study Areas *(section 2906)*

a) Churchill and Lander Counties *(section 2906 and 2933 respectively)*

i) All portions of the public land listed below not designated as wilderness in section 2905 summarized above
   (1) The Stillwater Range Wilderness Study Area – ~94,223 (most of the acres released will be incorporated into the Numunaa Nobe NCA)
   (2) The Job Peak Wilderness Study Area - ~89,497 acres (most of the acres released will be incorporated into the Numunaa Nobe NCA)
   (3) That portion of the August Mountains Wilderness Study Area located in Churchill or Lander Counties that have not been designated as wilderness - ~80,173 acres
   (4) That portion of the Desatoya Mountains Wilderness Study Area located in Churchill County - ~10,764 acres
   (5) Any portion of any other wilderness study area located in Churchill County, that is not a wilderness area

Acres Withdrawn			**Acres Released**	
FRTC	790,825		Stillwater WSA	94,223
NCA - Numunaa Nobe	160,224		Job Peak WSA	89,497
NCA - Black Mountain	3,415		Augusta WSA	80,173
Churchill County Conveyance	7,104		Desatoya WSA	10,764
Walker River Paiute Tribe Claims	8,170			
Fallon Paiute Shoshone Tribe	10,000			
Numu Newe Special Management Area*	76,475			
*141,370 acres within DVTA				
Total Acres Withdrawn	1,056,213		**Total Acres Released**	274,657
Withdraw-Release = Total Acres Withdrawn:	**781,556**			