

## Union Calendar No. 792

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2365

**[Report No. 115–1013]**

To convey certain Federal land in California to Apple Valley, California, Twentynine Palms, California, Barstow, California, and Victorville, California.

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### IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2017

Mr. COOK introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER 9, 2018

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on May 4, 2017]

# **A BILL**

To convey certain Federal land in California to Apple Valley, California, Twentynine Palms, California, Barstow, California, and Victorville, California.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4        *This Act may be cited as the “Desert Community*  
5 *Lands Act”.*

6 **SEC. 2. CONVEYANCE FOR APPLE VALLEY OFF-HIGHWAY VE-**  
7 **HICLE RECREATION AREA.**

8        (a) *DEFINITIONS.—In this section:*

9            (1) *SECRETARY.—The term “Secretary” means*  
10 *the Secretary of the Interior.*

11            (2) *TOWN.—The term “Town” means the town of*  
12 *Apple Valley, California.*

13        (b) *CONVEYANCE OF FEDERAL LAND TO TOWN.—*

14            (1) *CONVEYANCE REQUIRED.—At the request of*  
15 *the Town, not later than 5 years after the date of the*  
16 *enactment of this Act, the Secretary shall convey to*  
17 *the Town, without consideration, all right, title, and*  
18 *interest of the United States in and to the surface es-*  
19 *tate of the approximately 4,630 acres of land gen-*  
20 *erally depicted as “Proposed Conveyance Area” on the*  
21 *map entitled “Conveyance to Town of Apple Valley”*  
22 *and dated June 1, 2015. Such land shall be known*  
23 *and designated as the “Apple Valley Off-Highway Ve-*  
24 *hicle Recreation Area”.*

1           (2) *EXISTING RIGHTS AND MINERAL ESTATE.*—

2           *The conveyance under this subsection—*

3                     *(A) is subject to valid existing rights; and*

4                     *(B) does not include the mineral estate.*

5           *(c) USE OF CONVEYED LAND.*—

6                     (1) *IN GENERAL.*—*The land conveyed under sub-*  
7                     *section (b) may be used by the Town for any public*  
8                     *purpose authorized in paragraph (2), consistent with*  
9                     *the Act of June 14, 1926 (commonly known as the*  
10                    *Recreation and Public Purposes Act; 43 U.S.C. 869*  
11                    *et seq.).*

12                    (2) *AUTHORIZED PURPOSES.*—*The purposes of*  
13                    *the conveyance under subsection (b) are to allow the*  
14                    *Town to use the conveyed land to provide—*

15                             *(A) a suitable location for the establishment*  
16                             *of a centralized off-road vehicle recreation park;*

17                             *(B) the public with opportunities for off-*  
18                             *road vehicle recreation, including a location for*  
19                             *races, competitive events, training and other*  
20                             *commercial services that directly support a cen-*  
21                             *tralized off-road vehicle recreation area and*  
22                             *Town park; and*

23                             *(C) a designated area and facilities that*  
24                             *would discourage unauthorized use of off-high-*  
25                             *way vehicles in areas that have been identified*

1           *by the Federal Government, the State of Cali-*  
2           *ifornia, or San Bernardino County as containing*  
3           *environmentally sensitive land.*

4           (3) *DISPOSAL PROHIBITED.*—*The land conveyed*  
5           *under subsection (b) may not be disposed of by the*  
6           *Town without the approval of the Secretary.*

7 **SEC. 3. CONVEYANCE TO CITY OF TWENTYNINE PALMS,**  
8           **CALIFORNIA.**

9           (a) *CONVEYANCE REQUIRED.*—*At the request of the*  
10          *city of Twentynine Palms, California, not later than 1 year*  
11          *after the date of the enactment of this Act, the Secretary*  
12          *of the Interior shall convey to the city of Twentynine Palms,*  
13          *California, without consideration, all right, title, and inter-*  
14          *est of the United States in and to the surface estate of the*  
15          *land generally depicted as “Proposed Conveyance to*  
16          *Twentynine Palms” on the map entitled “Proposed Convey-*  
17          *ance to Twentynine Palms” and dated September 18, 2015.*

18          (b) *EXISTING RIGHTS AND MINERAL ESTATE.*—*The*  
19          *conveyance under this section—*

20                  (1) *is subject to valid existing rights; and*

21                  (2) *does not include the mineral estate.*

22 **SEC. 4. CONVEYANCE TO CITY OF BARSTOW, CALIFORNIA.**

23          (a) *CONVEYANCE REQUIRED.*—*At the request of the*  
24          *city of Barstow, California, not later than 1 year after the*  
25          *date of the enactment of this Act, the Secretary of the Inte-*

1 rior shall convey to the city of Barstow, California, without  
2 consideration, all right, title, and interest of the United  
3 States in and to the surface estate of the land generally de-  
4 picted as “Proposed Conveyance” on the map entitled “Pro-  
5 posed Conveyance to the City of Barstow” and dated Janu-  
6 ary 13, 2017.

7 (b) *EXISTING RIGHTS AND MINERAL ESTATE.*—The  
8 conveyance under this section—

9 (1) is subject to valid existing rights; and

10 (2) does not include the mineral estate.

11 **SEC. 5. CONVEYANCE TO CITY OF VICTORVILLE, CALI-**  
12 **FORNIA.**

13 (a) *CONVEYANCE REQUIRED.*—At the request of the  
14 city of Victorville, California, not later than 1 year after  
15 the date of the enactment of this Act, the Secretary of the  
16 Interior shall convey to the city of Victorville, California,  
17 without consideration, all right, title, and interest of the  
18 United States in and to the surface estate of the land gen-  
19 erally depicted as “Proposed Conveyance” on the map enti-  
20 tled “Proposed Conveyance to the City of Victorville” and  
21 dated April 25, 2017.

22 (b) *EXISTING RIGHTS AND MINERAL ESTATE.*—The  
23 conveyance under this subsection—

24 (1) is subject to valid existing rights;

25 (2) does not include the mineral estate; and

1           (3) is subject to the reservation of a permanent  
2           easement and right of way for flood control, utility,  
3           pipeline, or telecommunications facilities located  
4           within the strips of land described in the right of way  
5           grant from the United States Department of the Inte-  
6           rior to Pacific Gas and Electric Company, Serial  
7           Number R 06259, dated March 2, 1965, and the ease-  
8           ment from J. Harley Long to Pacific Gas and Elec-  
9           tric Company, dated February 4, 1957, and recorded  
10          in Book 4192, Official Records at page 42, San  
11          Bernardino County Records. These easements include  
12          the right, at any time and from time to time, to con-  
13          struct, reconstruct, maintain, operate, replace, re-  
14          move, repair, renew, and enlarge facilities for public  
15          utility purposes, the right to trim and cut down trees  
16          and brush that the public utility may deem to be a  
17          hazard to its facilities, and the requirement that the  
18          strips of land be kept open and free of buildings,  
19          structures, and wells of any kind.

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