

Calendar No. 54

115TH CONGRESS
1ST SESSION**S. 432****[Report No. 115–40]**

To designate the Cerro del Yuta and Río San Antonio Wilderness Areas
in the State of New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2017

Mr. HEINRICH (for himself and Mr. UDALL) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

MAY 3, 2017

Reported by Ms. MURKOWSKI, without amendment

A BILL

To designate the Cerro del Yuta and Río San Antonio Wil-
derness Areas in the State of New Mexico, and for
other purposes.

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 “Cerro del Norte Con-
5 servation Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) MAP.—The term “map” means the map en-
4 titled “Río Grande del Norte National Monument
5 Proposed Wilderness Areas” and dated July 28,
6 2015.

7 (2) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 (3) WILDERNESS AREA.—The term “wilderness
10 area” means a wilderness area designated by section
11 3(a).

12 **SEC. 3. DESIGNATION OF CERRO DEL YUTA AND RÍO SAN**
13 **ANTONIO WILDERNESS AREAS.**

14 (a) IN GENERAL.—In accordance with the Wilderness
15 Act (16 U.S.C. 1131 et seq.), the following areas in the
16 Río Grande del Norte National Monument are designated
17 as wilderness and as components of the National Wilder-
18 ness Preservation System:

19 (1) CERRO DEL YUTA WILDERNESS.—Certain
20 land administered by the Bureau of Land Manage-
21 ment in Taos County, New Mexico, comprising ap-
22 proximately 13,420 acres as generally depicted on
23 the map, which shall be known as the “Cerro del
24 Yuta Wilderness”.

25 (2) RÍO SAN ANTONIO WILDERNESS.—Certain
26 land administered by the Bureau of Land Manage-

1 ment in Río Arriba County, New Mexico, comprising
 2 approximately 8,120 acres, as generally depicted on
 3 the map, which shall be known as the “Río San An-
 4 tonio Wilderness”.

5 (b) MANAGEMENT OF WILDERNESS AREAS.—Subject
 6 to valid existing rights, the wilderness areas shall be ad-
 7 ministered in accordance with the Wilderness Act (16
 8 U.S.C. 1131 et seq.) and this Act, except that with respect
 9 to the wilderness areas designated by this Act—

10 (1) any reference to the effective date of the
 11 Wilderness Act shall be considered to be a reference
 12 to the date of enactment of this Act; and

13 (2) any reference in the Wilderness Act to the
 14 Secretary of Agriculture shall be considered to be a
 15 reference to the Secretary.

16 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
 17 ESTS IN LAND.—Any land or interest in land within the
 18 boundary of the wilderness areas that is acquired by the
 19 United States shall—

20 (1) become part of the wilderness area in which
 21 the land is located; and

22 (2) be managed in accordance with—

23 (A) the Wilderness Act (16 U.S.C. 1131 et
 24 seq.);

25 (B) this Act; and

1 (C) any other applicable laws.

2 (d) GRAZING.—Grazing of livestock in the wilderness
3 areas, where established before the date of enactment of
4 this Act, shall be administered in accordance with—

5 (1) section 4(d)(4) of the Wilderness Act (16
6 U.S.C. 1133(d)(4)); and

7 (2) the guidelines set forth in appendix A of the
8 Report of the Committee on Interior and Insular Af-
9 fairs to accompany H.R. 2570 of the 101st Congress
10 (H. Rept. 101–405).

11 (e) BUFFER ZONES.—

12 (1) IN GENERAL.—Nothing in this Act creates
13 a protective perimeter or buffer zone around the wil-
14 derness areas.

15 (2) ACTIVITIES OUTSIDE WILDERNESS
16 AREAS.—The fact that an activity or use on land
17 outside a wilderness area can be seen or heard with-
18 in the wilderness area shall not preclude the activity
19 or use outside the boundary of the wilderness area.

20 (f) RELEASE OF WILDERNESS STUDY AREAS.—Con-
21 gress finds that, for purposes of section 603(c) of the Fed-
22 eral Land Policy and Management Act of 1976 (43 U.S.C.
23 1782(c)), the public land within the San Antonio Wilder-
24 ness Study Area not designated as wilderness by this sec-
25 tion—

1 (1) has been adequately studied for wilderness
2 designation;

3 (2) is no longer subject to section 603(c) of the
4 Federal Land Policy and Management Act of 1976
5 (43 U.S.C. 1782(c)); and

6 (3) shall be managed in accordance with this
7 Act.

8 (g) MAPS AND LEGAL DESCRIPTIONS.—

9 (1) IN GENERAL.—As soon as practicable after
10 the date of enactment of this Act, the Secretary
11 shall file the map and legal descriptions of the wil-
12 derness areas with—

13 (A) the Committee on Energy and Natural
14 Resources of the Senate; and

15 (B) the Committee on Natural Resources
16 of the House of Representatives.

17 (2) FORCE OF LAW.—The map and legal de-
18 scriptions filed under paragraph (1) shall have the
19 same force and effect as if included in this Act, ex-
20 cept that the Secretary may correct errors in the
21 legal description and map.

22 (3) PUBLIC AVAILABILITY.—The map and legal
23 descriptions filed under paragraph (1) shall be on
24 file and available for public inspection in the appro-
25 priate offices of the Bureau of Land Management.

1 (h) NATIONAL LANDSCAPE CONSERVATION SYS-
2 TEM.—The wilderness areas shall be administered as com-
3 ponents of the National Landscape Conservation System.

4 (i) FISH AND WILDLIFE.—Nothing in this Act affects
5 the jurisdiction of the State of New Mexico with respect
6 to fish and wildlife located on public land in the State.

7 (j) WITHDRAWALS.—Subject to valid existing rights,
8 any Federal land within the wilderness areas designated
9 by subsection (a), including any land or interest in land
10 that is acquired by the United States after the date of
11 enactment of this Act, is withdrawn from—

12 (1) entry, appropriation, or disposal under the
13 public land laws;

14 (2) location, entry, and patent under the mining
15 laws; and

16 (3) operation of the mineral leasing, mineral
17 materials, and geothermal leasing laws.

18 (k) TREATY RIGHTS.—Nothing in this Act enlarges,
19 diminishes, or otherwise modifies any treaty rights.

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