

116TH CONGRESS
1ST SESSION

S. 367

To provide for the administration of certain national monuments, to establish a National Monument Enhancement Fund, and to establish certain wilderness areas in the States of New Mexico and Nevada.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2019

Mr. UDALL (for himself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. BOOKER, Mr. WYDEN, Ms. HIRONO, Ms. DUCKWORTH, Ms. HARRIS, Ms. CORTEZ MASTO, Mr. LEAHY, Ms. SMITH, Mrs. FEINSTEIN, Mr. HEINRICH, Mrs. GILLIBRAND, Mr. MERKLEY, Mrs. MURRAY, Ms. BALDWIN, Mr. SCHATZ, Mr. DURBIN, Mr. CARDIN, Ms. KLOBUCHAR, Ms. ROSEN, Mr. MURPHY, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the administration of certain national monuments, to establish a National Monument Enhancement Fund, and to establish certain wilderness areas in the States of New Mexico and Nevada.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “America’s Natural Treasures of Immeasurable Quality

1 Unite, Inspire, and Together Improve the Economies of
 2 States Act” or the “ANTIQUITIES Act”.

3 (b) TABLE OF CONTENTS.—The table of contents for
 4 this Act is as follows:

Sec. 1. Short title; table of contents.
 Sec. 2. Findings.

TITLE I—ADMINISTRATION OF CERTAIN NATIONAL MONUMENTS

Sec. 101. Definitions.
 Sec. 102. Administration of covered national monuments.
 Sec. 103. Description of covered national monuments.

TITLE II—NATIONAL MONUMENT ENHANCEMENT FUND

Sec. 201. Establishment of Fund.
 Sec. 202. Authorization of appropriations.

TITLE III—ESTABLISHMENT OF CERTAIN WILDERNESS AREAS IN
 THE STATE OF NEW MEXICO

Sec. 301. Organ Mountains-Desert Peaks conservation.
 Sec. 302. Cerro del Yuta and Río San Antonio Wilderness Areas.

TITLE IV—DESIGNATION OF WILDERNESS AREAS IN CLARK
 COUNTY, NEVADA

Sec. 401. Findings.
 Sec. 402. Definitions.
 Sec. 403. Additions to National Wilderness Preservation System.
 Sec. 404. Administration.
 Sec. 405. Adjacent management.
 Sec. 406. Military, law enforcement, and emergency overflights.
 Sec. 407. Release of wilderness study areas.
 Sec. 408. Native American cultural and religious uses.
 Sec. 409. Wildlife management.
 Sec. 410. Wildfire, insect, and disease management.
 Sec. 411. Climatological data collection.

5 **SEC. 2. FINDINGS.**

6 Congress finds that—

7 (1) as established by Federal law, a national
 8 monument may only be reduced, diminished, or re-
 9 voked by an Act of Congress;

1 (2) the national monuments under review under
2 Executive Order 13792 (82 Fed. Reg. 20429 (May
3 1, 2017)) have delivered economic, cultural, and eco-
4 logical benefits to local communities and the United
5 States; and

6 (3) legislative actions subsequent to Presi-
7 dential declarations, such as the Omnibus Public
8 Land Management Act of 2009 (Public Law 111–
9 11; 123 Stat. 991), have ratified certain national
10 monuments under review and other national monu-
11 ments.

12 **TITLE I—ADMINISTRATION OF**
13 **CERTAIN NATIONAL MONU-**
14 **MENTS**

15 **SEC. 101. DEFINITIONS.**

16 In this title:

17 (1) COVERED NATIONAL MONUMENT.—The
18 term “covered national monument” means a na-
19 tional monument described in section 103.

20 (2) SECRETARY CONCERNED.—The term “Sec-
21 retary concerned” means—

22 (A) the Secretary of the Interior, with re-
23 spect to a covered national monument under
24 the joint or exclusive jurisdiction of the Na-
25 tional Park Service, the Bureau of Land Man-

1 agement, or the United States Fish and Wild-
2 life Service;

3 (B) the Secretary of Agriculture, with re-
4 spect to a covered national monument under
5 the joint or exclusive jurisdiction of the Forest
6 Service; and

7 (C) the Secretary of Commerce, with re-
8 spect to a covered national monument under
9 the joint or exclusive jurisdiction of the Na-
10 tional Oceanic and Atmospheric Administration.

11 **SEC. 102. ADMINISTRATION OF COVERED NATIONAL MONU-**
12 **MENTS.**

13 (a) IN GENERAL.—The Secretary concerned shall ad-
14 minister each national monument described in section 103
15 in accordance with—

16 (1) the one or more applicable Presidential
17 proclamations specified in that section that apply to
18 the applicable covered national monument;

19 (2) any Act of Congress enacted before Decem-
20 ber 4, 2017, that provides for an adjustment to the
21 boundary of, or a requirement with respect to the
22 administration of, the applicable covered national
23 monument; and

24 (3) this Act.

25 (b) MAPS AND LEGAL DESCRIPTIONS.—

1 (1) IN GENERAL.—As soon as practicable after
2 the date of enactment of this Act, the Secretary con-
3 cerned shall—

4 (A) conduct a survey of the boundaries of
5 each covered national monument; and

6 (B) file a map and legal description of
7 each covered national monument with—

8 (i) the Committee on Energy and
9 Natural Resources of the Senate; and

10 (ii) the Committee on Natural Re-
11 sources of the House of Representatives.

12 (2) FORCE OF LAW.—The maps and legal de-
13 scriptions filed under paragraph (1)(B) shall have
14 the same force and effect as if included in this Act,
15 except that the Secretary concerned may correct er-
16 rors in the legal descriptions and maps.

17 (3) PUBLIC AVAILABILITY.—The maps and
18 legal descriptions filed under paragraph (1)(B) shall
19 be on file and available for public inspection in the
20 appropriate offices of the Secretary concerned.

21 (c) MANAGEMENT PLAN.—If a management plan has
22 not been prepared for a covered national monument as of
23 the date of enactment of this Act, not later than 2 years
24 after the date of enactment of this Act, the Secretary con-

1 cerned shall prepare a management plan for the covered
2 national monument, in accordance with—

3 (1) the one or more Presidential proclamations
4 specified in section 103 that apply to the applicable
5 covered national monument; and

6 (2) any other applicable Federal law (including
7 regulations).

8 (d) FUNDING.—A covered national monument shall
9 be eligible to receive funds from the National Monument
10 Enhancement Fund established by section 201(a).

11 **SEC. 103. DESCRIPTION OF COVERED NATIONAL MONU-**
12 **MENTS.**

13 The following are the national monuments referred
14 to in section 102(a):

15 (1) BIRMINGHAM CIVIL RIGHTS NATIONAL
16 MONUMENT, ALABAMA.—The Birmingham Civil
17 Rights National Monument established in the State
18 of Alabama by Presidential Proclamation 9565, as
19 issued on January 12, 2017 (54 U.S.C. 320301
20 note).

21 (2) FREEDOM RIDERS NATIONAL MONUMENT,
22 ALABAMA.—The Freedom Riders National Monu-
23 ment established in the State of Alabama by Presi-
24 dential Proclamation 9566, as issued on January 12,
25 2017 (54 U.S.C. 320301 note).

1 (3) AGUA FRIA NATIONAL MONUMENT, ARI-
2 ZONA.—The Agua Fria National Monument estab-
3 lished in the State of Arizona by Presidential Procla-
4 mation 7263, as issued on January 11, 2000 (54
5 U.S.C. 320301 note).

6 (4) GRAND CANYON-PARASHANT NATIONAL
7 MONUMENT, ARIZONA.—The Grand Canyon-
8 Parashant National Monument established in the
9 State of Arizona by Presidential Proclamation 7265,
10 as issued on January 11, 2000 (54 U.S.C. 320301
11 note).

12 (5) IRONWOOD FOREST NATIONAL MONUMENT,
13 ARIZONA.—The Ironwood Forest National Monu-
14 ment established in the State of Arizona by Presi-
15 dential Proclamation 7320, as issued on June 9,
16 2000 (54 U.S.C. 320301 note).

17 (6) SONORAN DESERT NATIONAL MONUMENT,
18 ARIZONA.—The Sonoran Desert National Monument
19 established in the State of Arizona by Presidential
20 Proclamation 7397, as issued on January 17, 2001
21 (54 U.S.C. 320301 note).

22 (7) VERMILION CLIFFS NATIONAL MONUMENT,
23 ARIZONA.—The Vermilion Cliffs National Monument
24 established in the State of Arizona by Presidential

1 Proclamation 7374, as issued on November 9, 2000
2 (54 U.S.C. 320301 note).

3 (8) BERRYESSA SNOW MOUNTAIN NATIONAL
4 MONUMENT, CALIFORNIA.—The Berryessa Snow
5 Mountain National Monument established in the
6 State of California by Presidential Proclamation
7 9298, as issued on July 10, 2015 (54 U.S.C.
8 320301 note).

9 (9) CALIFORNIA COASTAL NATIONAL MONU-
10 MENT, CALIFORNIA.—The California Coastal Na-
11 tional Monument established in the State of Cali-
12 fornia by Presidential Proclamation 7264, as issued
13 on January 11, 2000 (54 U.S.C. 320301 note),
14 Presidential Proclamation 9089, as issued on March
15 11, 2014 (54 U.S.C. 320301 note), and Presidential
16 Proclamation 9563, as issued on January 12, 2017
17 (54 U.S.C. 320301 note).

18 (10) CARRIZO PLAIN NATIONAL MONUMENT,
19 CALIFORNIA.—The Carrizo Plain National Monu-
20 ment established in the State of California by Presi-
21 dential Proclamation 7393, as issued on January 17,
22 2001 (54 U.S.C. 320301 note).

23 (11) CASTLE MOUNTAINS NATIONAL MONU-
24 MENT, CALIFORNIA.—The Castle Mountains Na-
25 tional Monument established in the State of Cali-

1 fornia by Presidential Proclamation 9394, as issued
2 on February 12, 2016 (54 U.S.C. 320301 note).

3 (12) CÉSAR E. CHÁVEZ NATIONAL MONUMENT,
4 CALIFORNIA.—The César E. Chávez National Monu-
5 ment established in the State of California by Presi-
6 dential Proclamation 8884, as issued on October 8,
7 2012 (54 U.S.C. 320301 note).

8 (13) FORT ORD NATIONAL MONUMENT, CALI-
9 FORNIA.—The Fort Ord National Monument estab-
10 lished in the State of California by Presidential
11 Proclamation 8803, as issued on April 20, 2012 (54
12 U.S.C. 320301 note).

13 (14) GIANT SEQUOIA NATIONAL MONUMENT,
14 CALIFORNIA.—The Giant Sequoia National Monu-
15 ment established in the State of California by Presi-
16 dential Proclamation 7295, as issued on April 15,
17 2000 (54 U.S.C. 320301 note).

18 (15) MOJAVE TRAILS NATIONAL MONUMENT,
19 CALIFORNIA.—The Mojave Trails National Monu-
20 ment established in the State of California by Presi-
21 dential Proclamation 9395, as issued on February
22 12, 2016 (54 U.S.C. 320301 note).

23 (16) SAN GABRIEL MOUNTAINS NATIONAL
24 MONUMENT, CALIFORNIA.—The San Gabriel Moun-
25 tains National Monument established in the State of

1 California by Presidential Proclamation 9194, as
2 issued on October 10, 2014 (54 U.S.C. 320301
3 note).

4 (17) SAND TO SNOW NATIONAL MONUMENT,
5 CALIFORNIA.—The Sand to Snow National Monu-
6 ment established in the State of California by Presi-
7 dential Proclamation 9396, as issued on February
8 12, 2016 (54 U.S.C. 320301 note).

9 (18) BROWNS CANYON NATIONAL MONUMENT,
10 COLORADO.—The Browns Canyon National Monu-
11 ment established in the State of Colorado by Presi-
12 dential Proclamation 9232, as issued on February
13 19, 2015 (54 U.S.C. 320301 note).

14 (19) CANYONS OF THE ANCIENTS NATIONAL
15 MONUMENT, COLORADO.—The Canyons of the An-
16 cients National Monument established in the State
17 of Colorado by Presidential Proclamation 7317, as
18 issued on June 9, 2000 (54 U.S.C. 320301 note).

19 (20) CHIMNEY ROCK NATIONAL MONUMENT,
20 COLORADO.—The Chimney Rock National Monu-
21 ment established in the State of Colorado by Presi-
22 dential Proclamation 8868, as issued on September
23 21, 2012 (54 U.S.C. 320301 note).

24 (21) BELMONT-PAUL WOMEN'S EQUALITY NA-
25 TIONAL MONUMENT, WASHINGTON, DC.—The Bel-

1 mont-Paul Women’s Equality National Monument
2 established in Washington, DC, by Presidential
3 Proclamation 9423, as issued on April 12, 2016 (54
4 U.S.C. 320301 note).

5 (22) PRESIDENT LINCOLN AND SOLDIERS’
6 HOME NATIONAL MONUMENT, WASHINGTON, DC.—
7 The President Lincoln and Soldiers’ Home National
8 Monument established in Washington, DC, by Presi-
9 dential Proclamation 7329, as issued on July 7,
10 2000 (54 U.S.C. 320301 note).

11 (23) HONOLIULI NATIONAL MONUMENT, HA-
12 WAI.—The Honouliuli National Monument estab-
13 lished in the State of Hawaii by Presidential Procla-
14 mation 9234, as issued on February 24, 2015 (54
15 U.S.C. 320301 note).

16 (24) PULLMAN NATIONAL MONUMENT, ILLI-
17 NOIS.—The Pullman National Monument established
18 in the State of Illinois by Presidential Proclamation
19 9233, as issued on February 19, 2015 (54 U.S.C.
20 320301 note).

21 (25) CAMP NELSON NATIONAL MONUMENT,
22 KENTUCKY.—The Camp Nelson National Monument
23 established in the State of Kentucky by Presidential
24 Proclamation 9811, as issued on October 26, 2018
25 (83 Fed. Reg. 54845 (October 31, 2018)).

1 (26) KATAHDIN WOODS AND WATERS NATIONAL
2 MONUMENT, MAINE.—The Katahdin Woods and
3 Waters National Monument established in the State
4 of Maine by Presidential Proclamation 9476, as
5 issued on August 24, 2016 (54 U.S.C. 320301
6 note).

7 (27) POMPEYS PILLAR NATIONAL MONUMENT,
8 MONTANA.—The Pompeys Pillar National Monu-
9 ment established in the State of Montana by Presi-
10 dential Proclamation 7396, as issued on January 17,
11 2001 (54 U.S.C. 320301 note).

12 (28) UPPER MISSOURI RIVER BREAKS NA-
13 TIONAL MONUMENT, MONTANA.—The Upper Mis-
14 souri River Breaks National Monument established
15 in the State of Montana by Presidential Proclama-
16 tion 7398, as issued on January 17, 2001 (54
17 U.S.C. 320301 note).

18 (29) BASIN AND RANGE NATIONAL MONUMENT,
19 NEVADA.—The Basin and Range National Monu-
20 ment established in the State of Nevada by Presi-
21 dential Proclamation 9297, as issued on July 10,
22 2015 (54 U.S.C. 320301 note).

23 (30) GOLD BUTTE NATIONAL MONUMENT, NE-
24 VADA.—The Gold Butte National Monument estab-
25 lished in the State of Nevada by Presidential Procla-

1 mation 9559, as issued on December 28, 2016 (54
2 U.S.C. 320301 note).

3 (31) KASHA-KATUWE TENT ROCKS NATIONAL
4 MONUMENT, NEW MEXICO.—The Kasha-Katuwe
5 Tent Rocks National Monument established in the
6 State of New Mexico by Presidential Proclamation
7 7394, as issued on January 17, 2001 (54 U.S.C.
8 320301 note).

9 (32) ORGAN MOUNTAINS-DESERT PEAKS NA-
10 TIONAL MONUMENT, NEW MEXICO.—The Organ
11 Mountains-Desert Peaks National Monument estab-
12 lished in the State of New Mexico by Presidential
13 Proclamation 9131, as issued on May 21, 2014 (54
14 U.S.C. 320301 note).

15 (33) RÍO GRANDE DEL NORTE NATIONAL
16 MONUMENT, NEW MEXICO.—The Río Grande del
17 Norte National Monument established in the State
18 of New Mexico by Presidential Proclamation 8946,
19 as issued on March 25, 2013 (54 U.S.C. 320301
20 note).

21 (34) AFRICAN BURIAL GROUND NATIONAL
22 MONUMENT, NEW YORK.—The African Burial
23 Ground National Monument established in the State
24 of New York by Presidential Proclamation 7984, as

1 issued on February 27, 2006 (54 U.S.C. 320301
2 note).

3 (35) GOVERNORS ISLAND NATIONAL MONU-
4 MENT, NEW YORK.—The Governors Island National
5 Monument established in the State of New York by
6 Presidential Proclamation 7647, as issued on Feb-
7 ruary 7, 2003 (54 U.S.C. 320301 note).

8 (36) STONEWALL NATIONAL MONUMENT, NEW
9 YORK.—The Stonewall National Monument estab-
10 lished in the State of New York by Presidential
11 Proclamation 9465, as issued on June 24, 2016 (54
12 U.S.C. 320301 note).

13 (37) CHARLES YOUNG BUFFALO SOLDIERS NA-
14 TIONAL MONUMENT, OHIO.—The Charles Young
15 Buffalo Soldiers National Monument established in
16 the State of Ohio by Presidential Proclamation
17 8945, as issued on March 25, 2013 (54 U.S.C.
18 320301 note).

19 (38) CASCADE-SISKIYOU NATIONAL MONUMENT,
20 OREGON AND CALIFORNIA.—The Cascade-Siskiyou
21 National Monument established in the States of Or-
22 egon and California by Presidential Proclamation
23 7318, as issued on June 9, 2000 (54 U.S.C. 320301
24 note), and Presidential Proclamation 9564, as issued
25 on January 12, 2017 (54 U.S.C. 320301 note).

1 (39) RECONSTRUCTION ERA NATIONAL MONU-
2 MENT, SOUTH CAROLINA.—The Reconstruction Era
3 National Monument established in the State of
4 South Carolina by Presidential Proclamation 9567,
5 as issued on January 12, 2017 (54 U.S.C. 320301
6 note).

7 (40) WACO MAMMOTH NATIONAL MONUMENT,
8 TEXAS.—The Waco Mammoth National Monument
9 established in the State of Texas by Presidential
10 Proclamation 9299, as issued on July 10, 2015 (54
11 U.S.C. 320301 note).

12 (41) BEARS EARS NATIONAL MONUMENT,
13 UTAH.—The Bears Ears National Monument estab-
14 lished in the State of Utah by Presidential Procla-
15 mation 9558, as issued on December 28, 2016 (54
16 U.S.C. 320301 note), except that the boundaries of
17 the Bears Ears National Monument shall be modi-
18 fied to encompass the approximately 1,931,997 acres
19 of Federal land generally depicted on the map on
20 page 6 of the proposal entitled “Proposal to Presi-
21 dent Barack Obama for the Creation of Bears Ears
22 National Monument”, prepared by the Bears Ears
23 Inter-Tribal Coalition, and dated October 15, 2015.

24 (42) GRAND STAIRCASE-ESCALANTE NATIONAL
25 MONUMENT, UTAH.—The Grand Staircase-Escalante

1 National Monument established in the State of Utah
2 by Presidential Proclamation 6920, as issued on
3 September 18, 1996 (54 U.S.C. 320301 note).

4 (43) FORT MONROE NATIONAL MONUMENT,
5 VIRGINIA.—The Fort Monroe National Monument
6 established in the State of Virginia by Presidential
7 Proclamation 8750, as issued on November 1, 2011
8 (54 U.S.C. 320301 note).

9 (44) HANFORD REACH NATIONAL MONUMENT,
10 WASHINGTON.—The Hanford Reach National Monu-
11 ment established in the State of Washington by
12 Presidential Proclamation 7319, as issued on June
13 9, 2000 (54 U.S.C. 320301 note).

14 (45) SAN JUAN ISLANDS NATIONAL MONUMENT,
15 WASHINGTON.—The San Juan Islands National
16 Monument established in the State of Washington
17 by Presidential Proclamation 8947, as issued on
18 March 25, 2013 (54 U.S.C. 320301 note).

19 (46) VIRGIN ISLANDS CORAL REEF NATIONAL
20 MONUMENT, UNITED STATES VIRGIN ISLANDS.—The
21 Virgin Islands Coral Reef National Monument estab-
22 lished in the United States Virgin Islands by Presi-
23 dential Proclamation 7399, as issued on January 17,
24 2001 (54 U.S.C. 320301 note).

1 (47) NORTHEAST CANYONS AND SEAMOUNTS
2 MARINE NATIONAL MONUMENT, ATLANTIC OCEAN.—
3 The Northeast Canyons and Seamounts Marine Na-
4 tional Monument established in the Atlantic Ocean
5 by Presidential Proclamation 9496, as issued on
6 September 15, 2016 (54 U.S.C. 320301 note).

7 (48) PACIFIC REMOTE ISLANDS MARINE NA-
8 TIONAL MONUMENT, PACIFIC OCEAN.—The Pacific
9 Remote Islands Marine National Monument estab-
10 lished in the Pacific Ocean by Presidential Procla-
11 mation 8336, as issued on January 6, 2009 (54
12 U.S.C. 320301 note), and by Presidential Proclama-
13 tion 9173, as issued on September 25, 2014 (54
14 U.S.C. 320301 note).

15 (49) ROSE ATOLL MARINE NATIONAL MONU-
16 MENT, AMERICAN SAMOA.—The Rose Atoll Marine
17 National Monument established in American Samoa
18 and the Pacific Ocean by Presidential Proclamation
19 8337, as issued on January 6, 2009 (54 U.S.C.
20 320301 note).

21 (50) MARIANAS TRENCH NATIONAL MONUMENT,
22 COMMONWEALTH OF THE NORTHERN MARIANA IS-
23 LANDS.—The Marianas Trench Marine National
24 Monument established in the Commonwealth of the
25 Northern Mariana Islands and the Pacific Ocean by

1 Presidential Proclamation 8335, as issued on Janu-
 2 ary 6, 2009 (54 U.S.C. 320301 note).

3 (51) PAPAĪANAUMOKUĀKEA MARINE NATIONAL
 4 MONUMENT, HAWAII.—The Papahānaumokuākea
 5 Marine National Monument established in the State
 6 of Hawaii and the Pacific Ocean by Presidential
 7 Proclamation 8031, as issued on June 15, 2006 (54
 8 U.S.C. 320301 note), and Presidential Proclamation
 9 9478, as issued on August 25, 2016 (54 U.S.C.
 10 320301 note).

11 (52) WORLD WAR II VALOR IN THE PACIFIC NA-
 12 TIONAL MONUMENT, ALASKA, CALIFORNIA, AND HA-
 13 WAI.—The World War II Valor in the Pacific Na-
 14 tional Monument established in the States of Alaska,
 15 California, and Hawaii by Presidential Proclamation
 16 8327, as issued on December 5, 2008 (54 U.S.C.
 17 320301 note).

18 **TITLE II—NATIONAL MONUMENT**
 19 **ENHANCEMENT FUND**

20 **SEC. 201. ESTABLISHMENT OF FUND.**

21 (a) ESTABLISHMENT.—There is established in the
 22 Treasury a fund, to be known as the “National Monument
 23 Enhancement Fund” (referred to in this title as the
 24 “Fund”), consisting of such amounts as are appropriated
 25 to the Fund under section 202.

1 (b) PURPOSES.—The purposes of the Fund are—

2 (1) to provide funds to the Bureau of Land
3 Management, the Forest Service, the National Park
4 Service, the United States Fish and Wildlife Service,
5 and the National Oceanographic and Atmospheric
6 Administration for the development of management
7 plans for national monuments designated under sec-
8 tion 320301 of title 54, United States Code;

9 (2) to provide funds for the Federal acquisition
10 and development of certain land and other areas;
11 and

12 (3) to provide funds to develop and enhance the
13 recreational infrastructure on land designated as a
14 national monument under section 320301 of title 54,
15 United States Code.

16 **SEC. 202. AUTHORIZATION OF APPROPRIATIONS.**

17 There is authorized to be appropriated to the Fund
18 \$100,000,000 for fiscal year 2018 and each fiscal year
19 thereafter, to remain available until expended.

1 **TITLE III—ESTABLISHMENT OF**
2 **CERTAIN WILDERNESS AREAS**
3 **IN THE STATE OF NEW MEX-**
4 **ICO**

5 **SEC. 301. ORGAN MOUNTAINS-DESERT PEAKS CONSERVA-**
6 **TION.**

7 (a) DEFINITIONS.—In this section:

8 (1) MONUMENT.—The term “Monument”
9 means the Organ Mountains-Desert Peaks National
10 Monument established by Presidential Proclamation
11 9131, as issued on May 21, 2014 (54 U.S.C.
12 320301 note).

13 (2) SECRETARY.—The term “Secretary” means
14 the Secretary of the Interior.

15 (3) STATE.—The term “State” means the State
16 of New Mexico.

17 (4) WILDERNESS AREA.—The term “wilderness
18 area” means a wilderness area designated by sub-
19 section (b)(1).

20 (b) DESIGNATION OF WILDERNESS AREAS.—

21 (1) IN GENERAL.—In accordance with the Wil-
22 derness Act (16 U.S.C. 1131 et seq.), the following
23 areas in the State are designated as wilderness and
24 as components of the National Wilderness Preserva-
25 tion System:

1 (A) ADEN LAVA FLOW WILDERNESS.—Cer-
2 tain land administered by the Bureau of Land
3 Management in Doña Ana County comprising
4 approximately 27,673 acres, as generally de-
5 picted on the map entitled “Potrillo Mountains
6 Complex” and dated September 27, 2018,
7 which shall be known as the “Aden Lava Flow
8 Wilderness”.

9 (B) BROAD CANYON WILDERNESS.—Cer-
10 tain land administered by the Bureau of Land
11 Management in Doña Ana County comprising
12 approximately 13,902 acres, as generally de-
13 picted on the map entitled “Desert Peaks Com-
14 plex” and dated October 1, 2018, which shall
15 be known as the “Broad Canyon Wilderness”.

16 (C) CINDER CONE WILDERNESS.—Certain
17 land administered by the Bureau of Land Man-
18 agement in Doña Ana County comprising ap-
19 proximately 16,935 acres, as generally depicted
20 on the map entitled “Potrillo Mountains Com-
21 plex” and dated September 27, 2018, which
22 shall be known as the “Cinder Cone Wilder-
23 ness”.

24 (D) EAST POTRILLO MOUNTAINS WILDER-
25 NESS.—Certain land administered by the Bu-

1 reau of Land Management in Doña Ana and
2 Luna counties comprising approximately 12,155
3 acres, as generally depicted on the map entitled
4 “Potrillo Mountains Complex” and dated Sep-
5 tember 27, 2018, which shall be known as the
6 “East Potrillo Mountains Wilderness”.

7 (E) MOUNT RILEY WILDERNESS.—Certain
8 land administered by the Bureau of Land Man-
9 agement in Doña Ana and Luna counties com-
10 prising approximately 8,382 acres, as generally
11 depicted on the map entitled “Potrillo Moun-
12 tains Complex” and dated September 27, 2018,
13 which shall be known as the “Mount Riley Wil-
14 derness”.

15 (F) ORGAN MOUNTAINS WILDERNESS.—
16 Certain land administered by the Bureau of
17 Land Management in Doña Ana County com-
18 prising approximately 19,916 acres, as gen-
19 erally depicted on the map entitled “Organ
20 Mountains Area” and dated September 21,
21 2016, which shall be known as the “Organ
22 Mountains Wilderness”, the boundary of which
23 shall be offset 400 feet from the centerline of
24 Dripping Springs Road in T. 23 S., R. 04 E.,
25 sec. 7, New Mexico Principal Meridian.

1 (G) POTRILLO MOUNTAINS WILDER-
2 NESS.—Certain land administered by the Bu-
3 reau of Land Management in Doña Ana and
4 Luna counties comprising approximately
5 105,085 acres, as generally depicted on the map
6 entitled “Potrillo Mountains Complex” and
7 dated September 27, 2018, which shall be
8 known as the “Potrillo Mountains Wilderness”.

9 (H) ROBLEDO MOUNTAINS WILDERNESS.—
10 Certain land administered by the Bureau of
11 Land Management in Doña Ana County com-
12 prising approximately 16,776 acres, as gen-
13 erally depicted on the map entitled “Desert
14 Peaks Complex” and dated October 1, 2018,
15 which shall be known as the “Robledo Moun-
16 tains Wilderness”.

17 (I) SIERRA DE LAS UVAS WILDERNESS.—
18 Certain land administered by the Bureau of
19 Land Management in Doña Ana County com-
20 prising approximately 11,114 acres, as gen-
21 erally depicted on the map entitled “Desert
22 Peaks Complex” and dated October 1, 2018,
23 which shall be known as the “Sierra de las
24 Uvas Wilderness”.

1 (J) WHITETHORN WILDERNESS.—Certain
2 land administered by the Bureau of Land Man-
3 agement in Doña Ana and Luna counties com-
4 prising approximately 9,616 acres, as generally
5 depicted on the map entitled “Potrillo Moun-
6 tains Complex” and dated September 27, 2018,
7 which shall be known as the “Whitethorn Wil-
8 derness”.

9 (2) MAPS AND LEGAL DESCRIPTIONS.—

10 (A) IN GENERAL.—As soon as practicable
11 after the date of enactment of this Act, the Sec-
12 retary shall file maps and legal descriptions of
13 the wilderness areas with—

14 (i) the Committee on Energy and
15 Natural Resources of the Senate; and

16 (ii) the Committee on Natural Re-
17 sources of the House of Representatives.

18 (B) FORCE OF LAW.—The maps and legal
19 descriptions filed under subparagraph (A) shall
20 have the same force and effect as if included in
21 this Act, except that the Secretary may correct
22 errors in the maps and legal descriptions.

23 (C) PUBLIC AVAILABILITY.—The maps
24 and legal descriptions filed under subparagraph
25 (A) shall be on file and available for public in-

1 specification in the appropriate offices of the Bu-
2 reau of Land Management.

3 (3) MANAGEMENT.—Subject to valid existing
4 rights, the wilderness areas shall be administered by
5 the Secretary—

6 (A) as components of the National Land-
7 scape Conservation System; and

8 (B) in accordance with—

9 (i) this section; and

10 (ii) the Wilderness Act (16 U.S.C.
11 1131 et seq.), except that—

12 (I) any reference in the Wilder-
13 ness Act to the effective date of that
14 Act shall be considered to be a ref-
15 erence to the date of enactment of
16 this Act; and

17 (II) any reference in the Wilder-
18 ness Act to the Secretary of Agri-
19 culture shall be considered to be a ref-
20 erence to the Secretary.

21 (4) INCORPORATION OF ACQUIRED LAND AND
22 INTERESTS IN LAND.—Any land or interest in land
23 that is within the boundary of a wilderness area that
24 is acquired by the United States shall—

1 (A) become part of the wilderness area
2 within the boundaries of which the land is lo-
3 cated; and

4 (B) be managed in accordance with—

5 (i) the Wilderness Act (16 U.S.C.
6 1131 et seq.);

7 (ii) this section; and

8 (iii) any other applicable laws.

9 (5) GRAZING.—Grazing of livestock in the wil-
10 derness areas, where established before the date of
11 enactment of this Act, shall be administered in ac-
12 cordance with—

13 (A) section 4(d)(4) of the Wilderness Act
14 (16 U.S.C. 1133(d)(4)); and

15 (B) the guidelines set forth in Appendix A
16 of the Report of the Committee on Interior and
17 Insular Affairs to accompany H.R. 2570 of the
18 101st Congress (H. Rept. 101–405).

19 (6) MILITARY OVERFLIGHTS.—Nothing in this
20 subsection restricts or precludes—

21 (A) low-level overflights of military aircraft
22 over the wilderness areas, including military
23 overflights that can be seen or heard within the
24 wilderness areas;

1 (B) the designation of new units of special
2 airspace over the wilderness areas; or

3 (C) the use or establishment of military
4 flight training routes over the wilderness areas.

5 (7) BUFFER ZONES.—

6 (A) IN GENERAL.—Nothing in this sub-
7 section creates a protective perimeter or buffer
8 zone around any wilderness area.

9 (B) ACTIVITIES OUTSIDE WILDERNESS
10 AREAS.—The fact that an activity or use on
11 land outside any wilderness area can be seen or
12 heard within the wilderness area shall not pre-
13 clude the activity or use outside the boundary
14 of the wilderness area.

15 (8) PARAGLIDING.—The use of paragliding
16 within areas of the East Potrillo Mountains Wilder-
17 ness designated by paragraph (1)(D) in which the
18 use has been established before the date of enact-
19 ment of this Act, shall be allowed to continue in ac-
20 cordance with section 4(d)(1) of the Wilderness Act
21 (16 U.S.C. 1133(d)(1)), subject to any terms and
22 conditions that the Secretary determines to be nec-
23 essary.

24 (9) CLIMATOLOGIC DATA COLLECTION.—Sub-
25 ject to such terms and conditions as the Secretary

1 may prescribe, nothing in this section precludes the
2 installation and maintenance of hydrologic, meteorolo-
3 gic, or climatologic collection devices in wilderness
4 areas if the facilities and access to the facilities are
5 essential to flood warning, flood control, or water
6 reservoir operation activities.

7 (10) FISH AND WILDLIFE.—Nothing in this
8 section affects the jurisdiction of the State with re-
9 spect to fish and wildlife located on public land in
10 the State, except that the Secretary, after consulta-
11 tion with the New Mexico Department of Game and
12 Fish, may designate zones where, and establish peri-
13 ods during which, no hunting or fishing shall be per-
14 mitted for reasons of public safety, administration,
15 or compliance with applicable law.

16 (11) WITHDRAWALS.—

17 (A) IN GENERAL.—Subject to valid exist-
18 ing rights, the Federal land within the wilder-
19 ness areas and any land or interest in land that
20 is acquired by the United States in the wilder-
21 ness areas after the date of enactment of this
22 Act is withdrawn from—

23 (i) entry, appropriation, or disposal
24 under the public land laws;

1 (ii) location, entry, and patent under
2 the mining laws; and

3 (iii) operation of the mineral leasing,
4 mineral materials, and geothermal leasing
5 laws.

6 (B) PARCEL B.—The approximately 6,498
7 acres of land generally depicted as “Parcel B”
8 on the map entitled “Organ Mountains Area”
9 and dated September 21, 2016, is withdrawn in
10 accordance with subparagraph (A), except that
11 the land is not withdrawn for purposes of the
12 issuance of oil and gas pipeline or road rights-
13 of-way.

14 (C) PARCEL C.—The approximately 1,297
15 acres of land generally depicted as “Parcel C”
16 on the map entitled “Organ Mountains Area”
17 and dated September 21, 2016, is withdrawn in
18 accordance with subparagraph (A), except that
19 the land is not withdrawn from disposal under
20 the Act of June 14, 1926 (commonly known as
21 the “Recreation and Public Purposes Act”) (43
22 U.S.C. 869 et seq.).

23 (D) PARCEL D.—

24 (i) IN GENERAL.—The Secretary of
25 the Army shall allow for the conduct of

1 certain recreational activities on the ap-
2 proximately 2,035 acres of land generally
3 depicted as “Parcel D” on the map enti-
4 tled “Organ Mountains Area” and dated
5 September 21, 2016 (referred to in this
6 subparagraph as the “parcel”), which is a
7 portion of the public land withdrawn and
8 reserved for military purposes by Public
9 Land Order 833 dated May 21, 1952 (17
10 Fed. Reg. 4822).

11 (ii) OUTDOOR RECREATION PLAN.—

12 (I) IN GENERAL.—The Secretary
13 of the Army shall develop a plan for
14 public outdoor recreation on the par-
15 cel that is consistent with the primary
16 military mission of the parcel.

17 (II) REQUIREMENT.—In devel-
18 oping the plan under subclause (I),
19 the Secretary of the Army shall en-
20 sure, to the maximum extent prac-
21 ticable, that outdoor recreation activi-
22 ties may be conducted on the parcel,
23 including hunting, hiking, wildlife
24 viewing, and camping.

1 (iii) CLOSURES.—The Secretary of the
2 Army may close the parcel or any portion
3 of the parcel to the public as the Secretary
4 of the Army determines to be necessary to
5 protect—

6 (I) public safety; or

7 (II) the safety of the military
8 members training on the parcel.

9 (iv) TRANSFER OF ADMINISTRATIVE
10 JURISDICTION; WITHDRAWAL.—

11 (I) IN GENERAL.—On a deter-
12 mination by the Secretary of the
13 Army that military training capabili-
14 ties, personnel safety, and installation
15 security would not be hindered as a
16 result of the transfer to the Secretary
17 of administrative jurisdiction over the
18 parcel, the Secretary of the Army
19 shall transfer to the Secretary admin-
20 istrative jurisdiction over the parcel.

21 (II) WITHDRAWAL.—On transfer
22 of the parcel under subclause (I), the
23 parcel shall be—

1 (aa) under the jurisdiction
 2 of the Director of the Bureau of
 3 Land Management; and

4 (bb) withdrawn from—

5 (AA) entry, appropria-
 6 tion, or disposal under the
 7 public land laws;

8 (BB) location, entry,
 9 and patent under the mining
 10 laws; and

11 (CC) operation of the
 12 mineral leasing, mineral ma-
 13 terials, and geothermal leas-
 14 ing laws.

15 (III) RESERVATION.—On trans-
 16 fer under subclause (I), the parcel
 17 shall be reserved for management of
 18 the resources of, and military training
 19 conducted on, the parcel in accord-
 20 ance with a memorandum of under-
 21 standing entered into under clause
 22 (v).

23 (v) MEMORANDUM OF UNDER-
 24 STANDING RELATING TO MILITARY TRAIN-
 25 ING.—

1 (I) IN GENERAL.—If, after the
2 transfer of the parcel under clause
3 (iv)(I), the Secretary of the Army re-
4 quests that the Secretary enter into a
5 memorandum of understanding, the
6 Secretary shall enter into a memo-
7 randum of understanding with the
8 Secretary of the Army providing for
9 the conduct of military training on the
10 parcel.

11 (II) REQUIREMENTS.—The
12 memorandum of understanding en-
13 tered into under subclause (I) shall—

14 (aa) address the location,
15 frequency, and type of training
16 activities to be conducted on the
17 parcel;

18 (bb) provide to the Secretary
19 of the Army access to the parcel
20 for the conduct of military train-
21 ing;

22 (cc) authorize the Secretary
23 or the Secretary of the Army to
24 close the parcel or a portion of
25 the parcel to the public as the

1 Secretary or the Secretary of the
2 Army determines to be necessary
3 to protect—

4 (AA) public safety; or

5 (BB) the safety of the
6 military members training;
7 and

8 (dd) to the maximum extent
9 practicable, provide for the pro-
10 tection of natural, historic, and
11 cultural resources in the area of
12 the parcel.

13 (vi) MILITARY OVERFLIGHTS.—Noth-
14 ing in this subparagraph restricts or pre-
15 cludes—

16 (I) low-level overflights of mili-
17 tary aircraft over the parcel, including
18 military overflights that can be seen
19 or heard within the parcel;

20 (II) the designation of new units
21 of special airspace over the parcel; or

22 (III) the use or establishment of
23 military flight training routes over the
24 parcel.

25 (12) ROBLEDO MOUNTAINS.—

1 (A) IN GENERAL.—The Secretary shall
2 manage the Federal land described in subpara-
3 graph (B) in a manner that preserves the char-
4 acter of the land for the future inclusion of the
5 land in the National Wilderness Preservation
6 System.

7 (B) LAND DESCRIPTION.—The land re-
8 ferred to in subparagraph (A) is certain land
9 administered by the Bureau of Land Manage-
10 ment, comprising approximately 100 acres as
11 generally depicted as “Lookout Peak Commu-
12 nication Site” on the map entitled “Desert
13 Peaks Complex” and dated October 1, 2018.

14 (C) USES.—The Secretary shall permit
15 only such uses on the land described in sub-
16 paragraph (B) as were permitted on the date of
17 enactment of this Act.

18 (13) RELEASE OF WILDERNESS STUDY
19 AREAS.—Congress finds that, for purposes of section
20 603(c) of the Federal Land Policy and Management
21 Act of 1976 (43 U.S.C. 1782(c)), the public land in
22 Doña Ana County administered by the Bureau of
23 Land Management not designated as wilderness by
24 paragraph (1) or described in paragraph (12)—

1 (A) has been adequately studied for wilder-
2 ness designation;

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

6 (C) shall be managed in accordance with—

7 (i) the Federal Land Policy and Man-
8 agement Act of 1976 (43 U.S.C. 1701 et
9 seq.);

10 (ii) this section; and

11 (iii) any other applicable laws.

12 (14) PRIVATE LAND.—In accordance with sec-
13 tion 5 of the Wilderness Act (16 U.S.C. 1134), the
14 Secretary shall ensure adequate access to non-Fed-
15 eral land located within the boundary of a wilderness
16 area.

17 (c) BORDER SECURITY.—

18 (1) IN GENERAL.—Nothing in this section—

19 (A) prevents the Secretary of Homeland
20 Security from undertaking law enforcement and
21 border security activities, in accordance with
22 section 4(c) of the Wilderness Act (16 U.S.C.
23 1133(c)), within the wilderness areas, including
24 the ability to use motorized access within a wil-
25 derness area while in pursuit of a suspect;

1 (B) affects the 2006 Memorandum of Un-
2 derstanding among the Department of Home-
3 land Security, the Department of the Interior,
4 and the Department of Agriculture regarding
5 cooperative national security and counterter-
6 rorism efforts on Federal land along the bor-
7 ders of the United States; or

8 (C) prevents the Secretary of Homeland
9 Security from conducting any low-level over-
10 flights over the wilderness areas that may be
11 necessary for law enforcement and border secu-
12 rity purposes.

13 (2) WITHDRAWAL AND ADMINISTRATION OF
14 CERTAIN AREA.—

15 (A) WITHDRAWAL.—The area identified as
16 “Parcel A” on the map entitled “Potrillo Moun-
17 tains Complex” and dated September 27, 2018,
18 is withdrawn in accordance with subsection
19 (b)(11)(A).

20 (B) ADMINISTRATION.—Except as pro-
21 vided in subparagraphs (C) and (D), the Sec-
22 retary shall administer the area described in
23 subparagraph (A) in a manner that, to the
24 maximum extent practicable, protects the wil-
25 derness character of the area.

1 (C) USE OF MOTOR VEHICLES.—The use
2 of motor vehicles, motorized equipment, and
3 mechanical transport shall be prohibited in the
4 area described in subparagraph (A) except as
5 necessary for—

6 (i) the administration of the area (in-
7 cluding the conduct of law enforcement
8 and border security activities in the area);
9 or

10 (ii) grazing uses by authorized permit-
11 tees.

12 (D) EFFECT OF SUBSECTION.—Nothing in
13 this paragraph precludes the Secretary from al-
14 lowing within the area described in subpara-
15 graph (A) the installation and maintenance of
16 communication or surveillance infrastructure
17 necessary for law enforcement or border secu-
18 rity activities.

19 (3) RESTRICTED ROUTE.—The route excluded
20 from the Potrillo Mountains Wilderness identified as
21 “Restricted—Administrative Access” on the map en-
22 titled “Potrillo Mountains Complex” and dated Sep-
23 tember 27, 2018, shall be—

24 (A) closed to public access; but

1 (B) available for administrative and law
2 enforcement uses, including border security ac-
3 tivities.

4 (d) ORGAN MOUNTAINS-DESERT PEAKS NATIONAL
5 MONUMENT.—

6 (1) MANAGEMENT PLAN.—In preparing and im-
7 plementing the management plan for the Monument,
8 the Secretary shall include a watershed health as-
9 sessment to identify opportunities for watershed res-
10 toration.

11 (2) INCORPORATION OF ACQUIRED STATE
12 TRUST LAND AND INTERESTS IN STATE TRUST
13 LAND.—

14 (A) IN GENERAL.—Any land or interest in
15 land that is within the State trust land de-
16 scribed in subparagraph (B) that is acquired by
17 the United States shall—

18 (i) become part of the Monument; and

19 (ii) be managed in accordance with—

20 (I) Presidential Proclamation
21 9131, as issued on May 21, 2014 (54
22 U.S.C. 320301 note);

23 (II) this section; and

24 (III) any other applicable laws.

1 (B) DESCRIPTION OF STATE TRUST
2 LAND.—The State trust land referred to in sub-
3 paragraph (A) is the State trust land in T. 22
4 S., R. 01 W., New Mexico Principal Meridian
5 and T. 22 S., R. 02 W., New Mexico Principal
6 Meridian.

7 (3) LAND EXCHANGES.—

8 (A) IN GENERAL.—Subject to subpara-
9 graphs (C) through (F), the Secretary shall at-
10 tempt to enter into an agreement to initiate an
11 exchange under section 2201.1 of title 43, Code
12 of Federal Regulations (or successor regula-
13 tions), with the Commissioner of Public Lands
14 of New Mexico, by the date that is 18 months
15 after the date of enactment of this Act, to pro-
16 vide for a conveyance to the State of all right,
17 title, and interest of the United States in and
18 to Bureau of Land Management land in the
19 State identified under subparagraph (B) in ex-
20 change for the conveyance by the State to the
21 Secretary of all right, title, and interest of the
22 State in and to parcels of State trust land with-
23 in the boundary of the Monument identified
24 under that subparagraph or described in para-
25 graph (2)(B).

1 (B) IDENTIFICATION OF LAND FOR EX-
2 CHANGE.—The Secretary and the Commissioner
3 of Public Lands of New Mexico shall jointly
4 identify the Bureau of Land Management land
5 and State trust land eligible for exchange under
6 this paragraph, the exact acreage and legal de-
7 scription of which shall be determined by sur-
8 veys approved by the Secretary and the New
9 Mexico State Land Office.

10 (C) APPLICABLE LAW.—A land exchange
11 under subparagraph (A) shall be carried out in
12 accordance with section 206 of the Federal
13 Land Policy and Management Act of 1976 (43
14 U.S.C. 1716).

15 (D) CONDITIONS.—A land exchange under
16 subparagraph (A) shall be subject to—

17 (i) valid existing rights; and

18 (ii) such terms as the Secretary and
19 the State shall establish.

20 (E) VALUATION, APPRAISALS, AND
21 EQUALIZATION.—

22 (i) IN GENERAL.—The value of the
23 Bureau of Land Management land and the
24 State trust land to be conveyed in a land
25 exchange under this paragraph—

1 (I) shall be equal, as determined
2 by appraisals conducted in accordance
3 with clause (ii); or

4 (II) if not equal, shall be equal-
5 ized in accordance with clause (iii).

6 (ii) APPRAISALS.—

7 (I) IN GENERAL.—The Bureau of
8 Land Management land and State
9 trust land to be exchanged under this
10 paragraph shall be appraised by an
11 independent, qualified appraiser that
12 is agreed to by the Secretary and the
13 State.

14 (II) REQUIREMENTS.—An ap-
15 praisal under subclause (I) shall be
16 conducted in accordance with—

17 (aa) the Uniform Appraisal
18 Standards for Federal Land Ac-
19 quisitions; and

20 (bb) the Uniform Standards
21 of Professional Appraisal Prac-
22 tice.

23 (iii) EQUALIZATION.—

24 (I) IN GENERAL.—If the value of
25 the Bureau of Land Management land

1 and the State trust land to be con-
2 veyed in a land exchange under this
3 paragraph is not equal, the value may
4 be equalized by—

5 (aa) making a cash equali-
6 zation payment to the Secretary
7 or to the State, as appropriate, in
8 accordance with section 206(b) of
9 the Federal Land Policy and
10 Management Act of 1976 (43
11 U.S.C. 1716(b)); or

12 (bb) reducing the acreage of
13 the Bureau of Land Management
14 land or State trust land to be ex-
15 changed, as appropriate.

16 (II) CASH EQUALIZATION PAY-
17 MENTS.—Any cash equalization pay-
18 ments received by the Secretary under
19 subclause (I)(aa) shall be—

20 (aa) deposited in the Fed-
21 eral Land Disposal Account es-
22 tablished by section 206(a) of the
23 Federal Land Transaction Facili-
24 tation Act (43 U.S.C. 2305(a));
25 and

1 (bb) used in accordance with
2 that Act.

3 (F) LIMITATION.—No exchange of land
4 shall be conducted under this paragraph unless
5 mutually agreed to by the Secretary and the
6 State.

7 **SEC. 302. CERRO DEL YUTA AND RÍO SAN ANTONIO WIL-**
8 **DERNESS AREAS.**

9 (a) DEFINITIONS.—In this section:

10 (1) MAP.—The term “map” means the map en-
11 titled “Río Grande del Norte National Monument
12 Proposed Wilderness Areas” and dated July 28,
13 2015.

14 (2) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 (3) WILDERNESS AREA.—The term “wilderness
17 area” means a wilderness area designated by sub-
18 section (b)(1).

19 (b) DESIGNATION OF CERRO DEL YUTA AND RÍO
20 SAN ANTONIO WILDERNESS AREAS.—

21 (1) IN GENERAL.—In accordance with the Wil-
22 derness Act (16 U.S.C. 1131 et seq.), the following
23 areas in the Río Grande del Norte National Monu-
24 ment are designated as wilderness and as compo-

1 nents of the National Wilderness Preservation Sys-
2 tem:

3 (A) CERRO DEL YUTA WILDERNESS.—Cer-
4 tain land administered by the Bureau of Land
5 Management in Taos County, New Mexico,
6 comprising approximately 13,420 acres as gen-
7 erally depicted on the map, which shall be
8 known as the “Cerro del Yuta Wilderness”.

9 (B) RÍO SAN ANTONIO WILDERNESS.—Cer-
10 tain land administered by the Bureau of Land
11 Management in Río Arriba County, New Mex-
12 ico, comprising approximately 8,120 acres, as
13 generally depicted on the map, which shall be
14 known as the “Río San Antonio Wilderness”.

15 (2) MANAGEMENT OF WILDERNESS AREAS.—
16 Subject to valid existing rights, the wilderness areas
17 shall be administered in accordance with the Wilder-
18 ness Act (16 U.S.C. 1131 et seq.) and this section,
19 except that with respect to the wilderness areas des-
20 ignated by this section—

21 (A) any reference to the effective date of
22 the Wilderness Act shall be considered to be a
23 reference to the date of enactment of this Act;
24 and

1 (B) any reference in the Wilderness Act to
2 the Secretary of Agriculture shall be considered
3 to be a reference to the Secretary.

4 (3) INCORPORATION OF ACQUIRED LAND AND
5 INTERESTS IN LAND.—Any land or interest in land
6 within the boundary of the wilderness areas that is
7 acquired by the United States shall—

8 (A) become part of the wilderness area in
9 which the land is located; and

10 (B) be managed in accordance with—

11 (i) the Wilderness Act (16 U.S.C.
12 1131 et seq.);

13 (ii) this section; and

14 (iii) any other applicable laws.

15 (4) GRAZING.—Grazing of livestock in the wil-
16 derness areas, where established before the date of
17 enactment of this Act, shall be administered in ac-
18 cordance with—

19 (A) section 4(d)(4) of the Wilderness Act
20 (16 U.S.C. 1133(d)(4)); and

21 (B) the guidelines set forth in appendix A
22 of the Report of the Committee on Interior and
23 Insular Affairs to accompany H.R. 2570 of the
24 101st Congress (H. Rept. 101-405).

25 (5) BUFFER ZONES.—

1 (A) IN GENERAL.—Nothing in this section
2 creates a protective perimeter or buffer zone
3 around the wilderness areas.

4 (B) ACTIVITIES OUTSIDE WILDERNESS
5 AREAS.—The fact that an activity or use on
6 land outside a wilderness area can be seen or
7 heard within the wilderness area shall not pre-
8 clude the activity or use outside the boundary
9 of the wilderness area.

10 (6) RELEASE OF WILDERNESS STUDY AREAS.—
11 Congress finds that, for purposes of section 603(c)
12 of the Federal Land Policy and Management Act of
13 1976 (43 U.S.C. 1782(c)), the public land within the
14 San Antonio Wilderness Study Area not designated
15 as wilderness by this subsection—

16 (A) has been adequately studied for wilder-
17 ness designation;

18 (B) is no longer subject to section 603(c)
19 of the Federal Land Policy and Management
20 Act of 1976 (43 U.S.C. 1782(c)); and

21 (C) shall be managed in accordance with
22 title I.

23 (7) MAPS AND LEGAL DESCRIPTIONS.—

24 (A) IN GENERAL.—As soon as practicable
25 after the date of enactment of this Act, the Sec-

1 retary shall file the map and legal descriptions
2 of the wilderness areas with—

3 (i) the Committee on Energy and
4 Natural Resources of the Senate; and

5 (ii) the Committee on Natural Re-
6 sources of the House of Representatives.

7 (B) FORCE OF LAW.—The map and legal
8 descriptions filed under subparagraph (A) shall
9 have the same force and effect as if included in
10 this Act, except that the Secretary may correct
11 errors in the legal description and map.

12 (C) PUBLIC AVAILABILITY.—The map and
13 legal descriptions filed under subparagraph (A)
14 shall be on file and available for public inspec-
15 tion in the appropriate offices of the Bureau of
16 Land Management.

17 (8) NATIONAL LANDSCAPE CONSERVATION SYS-
18 TEM.—The wilderness areas shall be administered as
19 components of the National Landscape Conservation
20 System.

21 (9) FISH AND WILDLIFE.—Nothing in this sec-
22 tion affects the jurisdiction of the State of New
23 Mexico with respect to fish and wildlife located on
24 public land in the State.

1 (10) WITHDRAWALS.—Subject to valid existing
2 rights, any Federal land within the wilderness areas
3 designated by paragraph (1), including any land or
4 interest in land that is acquired by the United
5 States after the date of enactment of this Act, is
6 withdrawn from—

7 (A) entry, appropriation, or disposal under
8 the public land laws;

9 (B) location, entry, and patent under the
10 mining laws; and

11 (C) operation of the mineral leasing, min-
12 eral materials, and geothermal leasing laws.

13 (11) TREATY RIGHTS.—Nothing in this section
14 enlarges, diminishes, or otherwise modifies any trea-
15 ty rights.

16 **TITLE IV—DESIGNATION OF WIL-**
17 **DERNESS AREAS IN CLARK**
18 **COUNTY, NEVADA**

19 **SEC. 401. FINDINGS.**

20 Congress finds that—

21 (1) public land administered by the Bureau of
22 Land Management in the County contains unique
23 and spectacular natural, cultural, and historical re-
24 sources, including—

1 (A) priceless habitat for numerous species
2 of plants and wildlife;

3 (B) thousands of acres of land that remain
4 in a natural state; and

5 (C) numerous sites containing significant
6 cultural and historical artifacts; and

7 (2) continued preservation of the public land
8 would benefit the County and all of the United
9 States by—

10 (A) ensuring the conservation of eco-
11 logically diverse habitat;

12 (B) protecting prehistoric cultural re-
13 sources;

14 (C) conserving primitive recreational re-
15 sources; and

16 (D) protecting air and water quality.

17 **SEC. 402. DEFINITIONS.**

18 In this title:

19 (1) COUNTY.—The term “County” means Clark
20 County, Nevada.

21 (2) MAP.—The term “Map” means the map en-
22 titled “Gold Butte National Conservation Area” and
23 dated May 23, 2013.

24 (3) PUBLIC LAND.—The term “public land”
25 has the meaning given the term “public lands” in

1 section 103 of the Federal Land Policy and Manage-
2 ment Act of 1976 (43 U.S.C. 1702).

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

5 (5) STATE.—The term “State” means the State
6 of Nevada.

7 (6) WILDERNESS AREA.—The term “wilderness
8 area” means a wilderness area designated by section
9 403(a).

10 **SEC. 403. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
11 **VATION SYSTEM.**

12 (a) ADDITIONS.—In furtherance of the Wilderness
13 Act (16 U.S.C. 1131 et seq.), the following public land
14 administered by the Bureau of Land Management in the
15 County is designated as wilderness and as components of
16 the National Wilderness Preservation System:

17 (1) VIRGIN PEAK WILDERNESS.—Certain public
18 land managed by the Bureau of Land Management,
19 comprising approximately 18,296 acres, as generally
20 depicted on the Map, which shall be known as the
21 “Virgin Peak Wilderness”.

22 (2) BLACK RIDGE WILDERNESS.—Certain pub-
23 lic land managed by the Bureau of Land Manage-
24 ment, comprising approximately 18,192 acres, as

1 generally depicted on the Map, which shall be known
2 as the “Black Ridge Wilderness”.

3 (3) BITTER RIDGE NORTH WILDERNESS.—Cer-
4 tain public land managed by the Bureau of Land
5 Management comprising approximately 15,114
6 acres, as generally depicted on the Map, which shall
7 be known as the “Bitter Ridge North Wilderness”.

8 (4) BITTER RIDGE SOUTH WILDERNESS.—Cer-
9 tain public land managed by the Bureau of Land
10 Management, comprising approximately 12,646
11 acres, as generally depicted on the Map, which shall
12 be known as the “Bitter Ridge Wilderness”.

13 (5) BILLY GOAT PEAK WILDERNESS.—Certain
14 public land managed by the Bureau of Land Man-
15 agement, comprising approximately 30,460 acres, as
16 generally depicted on the Map, which shall be known
17 as the “Billy Goat Peak Wilderness”.

18 (6) MILLION HILLS WILDERNESS.—Certain
19 public land managed by the Bureau of Land Man-
20 agement, comprising approximately 24,818 acres, as
21 generally depicted on the Map, which shall be known
22 as the “Million Hills Wilderness”.

23 (7) LIME CANYON WILDERNESS ADDITIONS.—
24 Certain public land managed by the Bureau of Land
25 Management, comprising approximately 10,069

1 acres, as generally depicted on the Map, which is in-
2 corporated in, and shall be managed as part of, the
3 “Lime Canyon Wilderness” designated by section
4 202(a)(9) of the Clark County Conservation of Pub-
5 lic Land and Natural Resources Act of 2002 (16
6 U.S.C. 1132 note; Public Law 107–282).

7 (b) NATIONAL LANDSCAPE CONSERVATION SYS-
8 TEM.—The wilderness areas shall be administered as com-
9 ponents of the National Landscape Conservation System.

10 (c) ROAD OFFSET.—The boundary of any portion of
11 a wilderness area that is bordered by a road shall be at
12 least 100 feet away from the centerline of the road so as
13 not to interfere with public access.

14 (d) MAP AND LEGAL DESCRIPTION.—

15 (1) IN GENERAL.—As soon as practicable after
16 the date of enactment of this Act, the Secretary
17 shall file a map and legal description of each wilder-
18 ness area with the Committee on Natural Resources
19 of the House of Representatives and the Committee
20 on Energy and Natural Resources of the Senate.

21 (2) EFFECT.—Each map and legal description
22 under paragraph (1) shall have the same force and
23 effect as if included in this title, except that the Sec-
24 retary may correct clerical and typographical errors
25 in the map or legal description.

1 (3) AVAILABILITY.—Each map and legal de-
2 scription under paragraph (1) shall be on file and
3 available for public inspection in the appropriate of-
4 fices of the Bureau of Land Management.

5 **SEC. 404. ADMINISTRATION.**

6 (a) MANAGEMENT.—Subject to valid existing rights,
7 the wilderness areas shall be administered by the Sec-
8 retary in accordance with the Wilderness Act (16 U.S.C.
9 1131 et seq.), except that—

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

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

16 (b) INCORPORATION OF ACQUIRED LAND AND IN-
17 TERESTS.—Any land or interest in land within the bound-
18 aries of a wilderness area that is acquired by the United
19 States after the date of enactment of this Act shall be
20 added to, and administered as part of, the wilderness area
21 within which the acquired land or interest is located.

22 (c) WATER RIGHTS.—

23 (1) FINDINGS.—Congress finds that—

24 (A) the land designated as a wilderness
25 area—

1 (i) is within the Mojave Desert;

2 (ii) is arid in nature; and

3 (iii) includes ephemeral streams;

4 (B) the hydrology of the land designated
5 as a wilderness area is locally characterized by
6 complex flow patterns and alluvial fans with im-
7 permanent channels;

8 (C) the subsurface hydrogeology of the re-
9 gion within which the land designated as a wil-
10 derness area is located is characterized by
11 ground water subject to local and regional flow
12 gradients and artesian aquifers;

13 (D) the land designated as a wilderness
14 area is generally not suitable for use or develop-
15 ment of new water resource facilities;

16 (E) there are no actual or proposed water
17 resource facilities and no opportunities for di-
18 version, storage, or other uses of water occur-
19 ring outside the land designated as a wilderness
20 area that would adversely affect the wilderness
21 or other values of the land; and

22 (F) because of the unique nature and hy-
23 drology of the desert land designated as a wil-
24 derness area and the existence of the Clark
25 County Multi-Species Habitat Conservation

1 Plan, it is possible to provide for proper man-
2 agement and protection of the wilderness, pe-
3 rennial springs, and other values of the land in
4 ways different than the methods used in other
5 laws.

6 (2) STATUTORY CONSTRUCTION.—

7 (A) NO RESERVATION.—Nothing in this
8 title constitutes an express or implied reserva-
9 tion by the United States of any water or water
10 rights with respect to the land designated as a
11 wilderness area.

12 (B) STATE RIGHTS.—Nothing in this title
13 affects any water rights in the State existing on
14 the date of enactment of this Act, including any
15 water rights held by the United States.

16 (C) NO PRECEDENT.—Nothing in this sub-
17 section establishes a precedent with regard to
18 any future wilderness designations.

19 (D) NO EFFECT ON COMPACTS.—Nothing
20 in this title limits, alters, modifies, or amends
21 any of the interstate compacts or equitable ap-
22 portionment decrees that apportion water
23 among and between the State and other States.

24 (E) CLARK COUNTY MULTI-SPECIES HABI-
25 TAT CONSERVATION PLAN.—Nothing in this

1 title limits, alters, modifies, or amends the
2 Clark County Multi-Species Habitat Conserva-
3 tion Plan with respect to the land designated as
4 a wilderness area, including specific manage-
5 ment actions for the conservation of perennial
6 springs.

7 (3) NEVADA WATER LAW.—The Secretary shall
8 follow the procedural and substantive requirements
9 of State law in order to obtain and hold any water
10 rights not in existence on the date of enactment of
11 this Act with respect to the land designated as a wil-
12 derness area.

13 (4) NEW PROJECTS.—

14 (A) DEFINITION.—

15 (i) IN GENERAL.—In this paragraph,
16 the term “water resource facility” means
17 irrigation and pumping facilities, res-
18 ervoirs, water conservation works, aque-
19 ducts, canals, ditches, pipelines, wells, hy-
20 dropower projects, and transmission and
21 other ancillary facilities, and other water
22 diversion, storage, and carriage structures.

23 (ii) EXCLUSION.—In this paragraph,
24 the term “water resource facility” does not
25 include wildlife guzzlers.

1 (B) NO LICENSES OR PERMITS.—Except
2 as otherwise provided in this title, on and after
3 the date of enactment of this Act, neither the
4 President nor any other officer, employee, or
5 agent of the United States shall fund, assist,
6 authorize, or issue a license or permit for the
7 development of any new water resource facility
8 within the land designated as a wilderness area.

9 (d) WITHDRAWAL.—Subject to valid existing rights,
10 any Federal land within the wilderness areas, including
11 any land or interest in land that is acquired by the United
12 States within the Gold Butte National Monument after
13 the date of enactment of this Act, is withdrawn from—

14 (1) entry, appropriation, or disposal under the
15 public land laws;

16 (2) location, entry, and patent under the mining
17 laws; and

18 (3) operation of the mineral leasing, mineral
19 materials, and geothermal leasing laws.

20 **SEC. 405. ADJACENT MANAGEMENT.**

21 (a) NO BUFFER ZONES.—Congress does not intend
22 for the designation of land as wilderness areas to lead to
23 the creation of protective perimeters or buffer zones
24 around the wilderness areas.

1 (b) NONWILDERNESS ACTIVITIES.—The fact that
 2 nonwilderness activities or uses can be seen or heard from
 3 areas within a wilderness area shall not preclude the con-
 4 duct of those activities or uses outside the boundary of
 5 the wilderness area.

6 **SEC. 406. MILITARY, LAW ENFORCEMENT, AND EMERGENCY**
 7 **OVERFLIGHTS.**

8 Nothing in this title restricts or precludes—

9 (1) low-level overflights of military, law enforce-
 10 ment, or emergency medical services aircraft over
 11 the area designated as wilderness by this title, in-
 12 cluding military, law enforcement, or emergency
 13 medical services overflights that can be seen or
 14 heard within the wilderness area;

15 (2) flight testing and evaluation; or

16 (3) the designation or creation of new units of
 17 special use airspace, or the establishment of military,
 18 law enforcement, or emergency medical services
 19 flight training routes, over the wilderness area.

20 **SEC. 407. RELEASE OF WILDERNESS STUDY AREAS.**

21 (a) FINDING.—Congress finds that, for the purposes
 22 of section 603 of the Federal Land Policy and Manage-
 23 ment Act of 1976 (43 U.S.C. 1782), the Bureau of Land
 24 Management land in any portion of the wilderness study
 25 areas located within the Gold Butte National Monument

1 not designated as a wilderness area has been adequately
2 studied for wilderness designation.

3 (b) RELEASE.—Any Bureau of Land Management
4 land described in subsection (a) that is not designated as
5 a wilderness area—

6 (1) is no longer subject to section 603(c) of the
7 Federal Land Policy and Management Act of 1976
8 (43 U.S.C. 1782(c));

9 (2) shall be managed in accordance with—

10 (A) the land management plans adopted
11 under section 202 of that Act (43 U.S.C.
12 1712); and

13 (B) cooperative conservation agreements in
14 existence on the date of enactment of this Act;
15 and

16 (3) shall be subject to—

17 (A) the Endangered Species Act of 1973
18 (16 U.S.C. 1531 et seq.); and

19 (B) title I.

20 **SEC. 408. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
21 **USES.**

22 Nothing in this title diminishes—

23 (1) the rights of any Indian Tribe; or

1 (2) Tribal rights regarding access to Federal
2 land for Tribal activities, including spiritual, cul-
3 tural, and traditional food-gathering activities.

4 **SEC. 409. WILDLIFE MANAGEMENT.**

5 (a) IN GENERAL.—In accordance with section
6 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
7 nothing in this title affects or diminishes the jurisdiction
8 of the State with respect to fish and wildlife management,
9 including the regulation of hunting, fishing, and trapping,
10 in the wilderness areas.

11 (b) MANAGEMENT ACTIVITIES.—

12 (1) IN GENERAL.—In furtherance of the pur-
13 poses and principles of the Wilderness Act (16
14 U.S.C. 1131 et seq.), management activities to
15 maintain or restore fish and wildlife populations and
16 the habitats to support the populations may be car-
17 ried out within the wilderness areas, if the activi-
18 ties—

19 (A) are consistent with relevant wilderness
20 management plans; and

21 (B) are carried out in accordance with ap-
22 propriate policies, such as those set forth in Ap-
23 pendix B of House Report 101–405.

24 (2) USE OF MOTORIZED VEHICLES.—The man-
25 agement activities under paragraph (1) may include

1 the occasional and temporary use of motorized vehi-
2 cles, if the use, as determined by the Secretary,
3 would—

4 (A) promote healthy, viable, and more nat-
5 urally distributed wildlife populations that
6 would enhance wilderness values; and

7 (B) accomplish the purposes described in
8 subparagraph (A) with the minimum impact
9 necessary to reasonably accomplish the task.

10 (c) EXISTING ACTIVITIES.—Consistent with section
11 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and
12 in accordance with appropriate policies such as those set
13 forth in Appendix B of House Report 101–405, the State
14 may continue to use aircraft (including helicopters) to sur-
15 vey, capture, transplant, monitor, and provide water for
16 wildlife populations, including bighorn sheep, and feral
17 stock, horses, and burros.

18 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—
19 Subject to subsection (f), the Secretary shall authorize
20 structures and facilities, including existing structures and
21 facilities, for wildlife water development projects, including
22 guzzlers, in the wilderness areas if—

23 (1) the structures and facilities will, as deter-
24 mined by the Secretary, enhance wilderness values

1 by promoting healthy, viable and more naturally dis-
2 tributed wildlife populations; and

3 (2) the visual impacts of the structures and fa-
4 cilities on the wilderness areas can reasonably be
5 minimized.

6 (e) HUNTING, FISHING, AND TRAPPING.—

7 (1) IN GENERAL.—The Secretary may des-
8 ignate, by regulation, areas in which, and establish
9 periods during which, for reasons of public safety,
10 administration, or compliance with applicable laws,
11 no hunting, fishing, or trapping will be permitted in
12 the wilderness areas.

13 (2) CONSULTATION.—Except in emergencies,
14 the Secretary shall consult with the appropriate
15 State agency before promulgating regulations under
16 paragraph (1).

17 (f) COOPERATIVE AGREEMENT.—The State, includ-
18 ing a designee of the State, may conduct wildlife manage-
19 ment activities in the wilderness areas—

20 (1) in accordance with the terms and conditions
21 specified in the cooperative agreement between the
22 Secretary and the State entitled “Memorandum of
23 Understanding between the Bureau of Land Man-
24 agement and the Nevada Department of Wildlife
25 Supplement No. 9” and signed November and De-

1 cember 2003, including any amendments to the co-
2 operative agreement agreed to by the Secretary and
3 the State; and

4 (2) subject to all applicable laws (including reg-
5 ulations).

6 **SEC. 410. WILDFIRE, INSECT, AND DISEASE MANAGEMENT.**

7 (a) IN GENERAL.—In accordance with section
8 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the
9 Secretary may take such measures in each wilderness area
10 as the Secretary determines to be necessary for the control
11 of fire, insects, and diseases (including, as the Secretary
12 determines to be appropriate, the coordination of the ac-
13 tivities with a State or local agency).

14 (b) EFFECT.—Nothing in this title precludes a Fed-
15 eral, State, or local agency from conducting wildfire man-
16 agement operations (including operations using aircraft or
17 mechanized equipment) in accordance with section 4(d)(1)
18 of the Wilderness Act (16 U.S.C. 1133(d)(1)).

19 **SEC. 411. CLIMATOLOGICAL DATA COLLECTION.**

20 Subject to such terms and conditions as the Secretary
21 may require, nothing in this title precludes the installation
22 and maintenance of hydrologic, meteorologic, or climato-
23 logical collection devices in the wilderness areas if the fa-
24 cilities and access to the facilities are essential to flood

- 1 warning, flood control, and water reservoir operation ac-
- 2 tivities.

