

115TH CONGRESS
2D SESSION

S. 2354

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

JANUARY 30, 2018

Mr. UDALL (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. WYDEN, Mr. HEINRICH, Mrs. FEINSTEIN, Mr. SCHATZ, Ms. HARRIS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MERKLEY, Mr. CARDIN, Mr. BOOKER, Mr. VAN HOLLEN, Ms. SMITH, Mr. BENNET, and Mr. LEAHY) 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
6 Unite, Inspire, and Together Improve the Economies of

1 States Act of 2018” or the “ANTIQUITIES Act of
2 2018”.

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 Wilderness Areas.
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-

agement, or the United States Fish and Wildlife Service;

(B) the Secretary of Agriculture, with respect to a covered national monument under the joint or exclusive jurisdiction of the Forest Service; and

(C) the Secretary of Commerce, with respect to a covered national monument under the joint or exclusive jurisdiction of the National Oceanic and Atmospheric Administration.

SEC. 102. ADMINISTRATION OF COVERED NATIONAL MONUMENTS.

(a) IN GENERAL.—The Secretary concerned shall administer each national monument described in section 103 in accordance with—

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

(2) any Act of Congress enacted before December 4, 2017, that provides for an adjustment to the boundary of, or a requirement with respect to the administration of, the applicable covered national monument; and

(3) this Act.

(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-

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

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

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

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

SEC. 103. DESCRIPTION OF COVERED NATIONAL MONUMENTS.

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

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

(2) FREEDOM RIDERS NATIONAL MONUMENT, ALABAMA.—The Freedom Riders National Monument established in the State of Alabama by Presidential Proclamation 9566, as issued on January 12, 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) HONOLULI NATIONAL MONUMENT, HA-
12 WAII.—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) KATAHDIN WOODS AND WATERS NATIONAL
22 MONUMENT, MAINE.—The Katahdin Woods and
23 Waters National Monument established in the State
24 of Maine by Presidential Proclamation 9476, as

1 issued on August 24, 2016 (54 U.S.C. 320301
2 note).

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

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

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

19 (29) GOLD BUTTE NATIONAL MONUMENT, NE-
20 VADA.—The Gold Butte National Monument estab-
21 lished in the State of Nevada by Presidential Procla-
22 mation 9559, as issued on December 28, 2016 (54
23 U.S.C. 320301 note).

24 (30) KASHA-KATUWE TENT ROCKS NATIONAL
25 MONUMENT, NEW MEXICO.—The Kasha-Katuwe

1 Tent Rocks National Monument established in the
2 State of New Mexico by Presidential Proclamation
3 7394, as issued on January 17, 2001 (54 U.S.C.
4 320301 note).

5 (31) ORGAN MOUNTAINS–DESERT PEAKS NA-
6 TIONAL MONUMENT, NEW MEXICO.—The Organ
7 Mountains–Desert Peaks National Monument estab-
8 lished in the State of New Mexico by the Presi-
9 dential Proclamation 9131, as issued on May 21,
10 2014 (54 U.S.C. 320301 note).

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

17 (33) AFRICAN BURIAL GROUND NATIONAL
18 MONUMENT, NEW YORK.—The African Burial
19 Ground National Monument established in the State
20 of New York by Presidential Proclamation 7984, as
21 issued on February 27, 2006 (54 U.S.C. 320301
22 note).

23 (34) GOVERNORS ISLAND NATIONAL MONU-
24 MENT, NEW YORK.—The Governors Island National
25 Monument established in the State of New York by

1 Presidential Proclamation 7647, as issued on Feb-
2 ruary 7, 2003 (54 U.S.C. 320301 note).

3 (35) STONEWALL NATIONAL MONUMENT, NEW
4 YORK.—The Stonewall National Monument estab-
5 lished in the State of New York by Presidential
6 Proclamation 9465, as issued on June 24, 2016 (54
7 U.S.C. 320301 note).

8 (36) CHARLES YOUNG BUFFALO SOLDIERS NA-
9 TIONAL MONUMENT, OHIO.—The Charles Young
10 Buffalo Soldiers National Monument established in
11 the State of Ohio by Presidential Proclamation
12 8945, as issued on March 25, 2013 (54 U.S.C.
13 320301 note).

14 (37) CASCADE-SISKIYOU NATIONAL MONUMENT,
15 OREGON AND CALIFORNIA.—The Cascade-Siskiyou
16 National Monument established in the States of Or-
17 egon and California by Presidential Proclamation
18 7318, as issued on June 9, 2000 (54 U.S.C. 320301
19 note), and Presidential Proclamation 9564, as issued
20 on January 12, 2017 (54 U.S.C. 320301 note).

21 (38) RECONSTRUCTION ERA NATIONAL MONU-
22 MENT, SOUTH CAROLINA.—The Reconstruction Era
23 National Monument established in the State of
24 South Carolina by Presidential Proclamation 9567,

1 as issued on January 12, 2017 (54 U.S.C. 320301
2 note).

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

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

20 (41) GRAND STAIRCASE—ESCALANTE NATIONAL
21 MONUMENT, UTAH.—The Grand Staircase—
22 Escalante National Monument established in the
23 State of Utah by Presidential Proclamation 6920, as
24 issued on September 18, 1996 (54 U.S.C. 320301
25 note).

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

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

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

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

22 (46) NORTHEAST CANYONS AND SEAMOUNTS
23 MARINE NATIONAL MONUMENT, ATLANTIC OCEAN.—
24 The Northeast Canyons and Seamounts Marine Na-
25 tional Monument established in the Atlantic Ocean

1 by Presidential Proclamation 9496, as issued on
2 September 15, 2016 (54 U.S.C. 320301 note).

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

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

17 (49) MARIANAS TRENCH NATIONAL MONUMENT,
18 COMMONWEALTH OF THE NORTHERN MARIANA IS-
19 LANDS.—The Marianas Trench Marine National
20 Monument established in the Commonwealth of the
21 Northern Mariana Islands and the Pacific Ocean by
22 Presidential Proclamation 8335, as issued on Janu-
23 ary 6, 2009 (54 U.S.C. 320301 note).

24 (50) PAPAĦĀNAUMOKUĀKEA MARINE NATIONAL
25 MONUMENT, HAWAII.—The Papahānaumokuākea

1 Marine National Monument established in the State
 2 of Hawaii and the Pacific Ocean by Presidential
 3 Proclamation 8031, as issued on June 15, 2006 (54
 4 U.S.C. 320301 note), and Presidential Proclamation
 5 9478, as issued on August 25, 2016 (54 U.S.C.
 6 320301 note).

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

14 **TITLE II—NATIONAL MONUMENT** 15 **ENHANCEMENT FUND**

16 **SEC. 201. ESTABLISHMENT OF FUND.**

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

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

23 (1) to provide funds to the Bureau of Land
 24 Management, the Forest Service, the National Park
 25 Service, the United States Fish and Wildlife Service,

1 and the National Oceanographic and Atmospheric
 2 Administration for the development of management
 3 plans for national monuments designated under sec-
 4 tion 320301 of title 54, United States Code;

5 (2) to provide funds for the Federal acquisition
 6 and development of certain land and other areas;
 7 and

8 (3) to provide funds to develop and enhance the
 9 recreational infrastructure on land designated as a
 10 national monument under section 320301 of title 54,
 11 United States Code.

12 **SEC. 202. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated to the Fund
 14 \$100,000,000 for fiscal year 2018 and each fiscal year
 15 thereafter, to remain available until expended.

16 **TITLE III—ESTABLISHMENT OF**
 17 **CERTAIN WILDERNESS AREAS**
 18 **IN THE STATE OF NEW MEX-**
 19 **ICO**

20 **SEC. 301. ORGAN MOUNTAINS-DESERT PEAKS WILDERNESS**
 21 **AREAS.**

22 (a) DEFINITIONS.—In this section:

23 (1) MONUMENT.—The term “Monument”
 24 means the Organ Mountains-Desert Peaks National
 25 Monument.

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

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

5 (4) WILDERNESS AREA.—The term “wilderness
6 area” means a wilderness area designated by sub-
7 section (b)(1).

8 (b) DESIGNATION OF WILDERNESS AREAS.—

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

14 (A) ADEN LAVA FLOW WILDERNESS.—Cer-
15 tain land administered by the Bureau of Land
16 Management in Doña Ana County comprising
17 approximately 27,673 acres, as generally de-
18 picted on the map entitled “Potrillo Mountains
19 Complex” and dated April 18, 2016, which
20 shall be known as the “Aden Lava Flow Wilder-
21 ness”.

22 (B) BROAD CANYON WILDERNESS.—Cer-
23 tain land administered by the Bureau of Land
24 Management in Doña Ana County comprising
25 approximately 13,902 acres, as generally de-

1 picted on the map entitled “Desert Peaks Com-
2 plex” and dated April 13, 2016, which shall be
3 known as the “Broad Canyon Wilderness”.

4 (C) CINDER CONE WILDERNESS.—Certain
5 land administered by the Bureau of Land Man-
6 agement in Doña Ana County comprising ap-
7 proximately 16,935 acres, as generally depicted
8 on the map entitled “Potrillo Mountains Com-
9 plex” and dated April 18, 2016, which shall be
10 known as the “Cinder Cone Wilderness”.

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

22 (E) POTRILLO MOUNTAINS WILDER-
23 NESS.—Certain land administered by the Bu-
24 reau of Land Management in Doña Ana and
25 Luna counties comprising approximately

1 125,854 acres, as generally depicted on the map
2 entitled “Potrillo Mountains Complex” and
3 dated April 18, 2016, which shall be known as
4 the “Potrillo Mountains Wilderness”.

5 (F) ROBLEDO MOUNTAINS WILDERNESS.—

6 Certain land administered by the Bureau of
7 Land Management in Doña Ana County com-
8 prising approximately 16,776 acres, as gen-
9 erally depicted on the map entitled “Desert
10 Peaks Complex” and dated April 13, 2016,
11 which shall be known as the “Robledo Moun-
12 tains Wilderness”.

13 (G) SIERRA DE LAS UVAS WILDERNESS.—

14 Certain land administered by the Bureau of
15 Land Management in Doña Ana County com-
16 prising approximately 11,114 acres, as gen-
17 erally depicted on the map entitled “Desert
18 Peaks Complex” and dated April 13, 2016,
19 which shall be known as the “Sierra de las
20 Uvas Wilderness”.

21 (H) WHITETHORN WILDERNESS.—

22 Certain land administered by the Bureau of Land Man-
23 agement in Doña Ana and Luna counties com-
24 prising approximately 9,616 acres, as generally
25 depicted on the map entitled “Potrillo Moun-

1 tains Complex” and dated April 18, 2016,
2 which shall be known as the “Whitethorn Wil-
3 derness”.

4 (2) MAPS AND LEGAL DESCRIPTIONS.—

5 (A) IN GENERAL.—As soon as practicable
6 after the date of enactment of this Act, the Sec-
7 retary shall file maps and legal descriptions of
8 the wilderness areas with—

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

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

13 (B) FORCE OF LAW.—The maps and legal
14 descriptions filed under subparagraph (A) shall
15 have the same force and effect as if included in
16 this Act, except that the Secretary may correct
17 errors in the maps and legal descriptions.

18 (C) PUBLIC AVAILABILITY.—The maps
19 and legal descriptions filed under subparagraph
20 (A) shall be on file and available for public in-
21 spection in the appropriate offices of the Bu-
22 reau of Land Management.

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

1 (A) as components of the National Land-
 2 scape Conservation System; and

3 (B) in accordance with—

4 (i) this section; and

5 (ii) the Wilderness Act (16 U.S.C.
 6 1131 et seq.), except that—

7 (I) any reference in the Wilder-
 8 ness Act to the effective date of that
 9 Act shall be considered to be a ref-
 10 erence to the date of enactment of
 11 this Act; and

12 (II) any reference in the Wilder-
 13 ness Act to the Secretary of Agri-
 14 culture shall be considered to be a ref-
 15 erence to the Secretary.

16 (4) INCORPORATION OF ACQUIRED LAND AND
 17 INTERESTS IN LAND.—Any land or interest in land
 18 that is within the boundary of a wilderness area that
 19 is acquired by the United States shall—

20 (A) become part of the wilderness area
 21 within the boundaries of which the land is lo-
 22 cated; and

23 (B) be managed in accordance with—

24 (i) the Wilderness Act (16 U.S.C.
 25 1131 et seq.);

1 (ii) this section; and

2 (iii) any other applicable laws.

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

7 (A) section 4(d)(4) of the Wilderness Act
8 (16 U.S.C. 1133(d)(4)); and

9 (B) the guidelines set forth in Appendix A
10 of the Report of the Committee on Interior and
11 Insular Affairs to accompany H.R. 2570 of the
12 101st Congress (H. Rept. 101–405).

13 (6) MILITARY OVERFLIGHTS.—Nothing in this
14 subsection restricts or precludes—

15 (A) low-level overflights of military aircraft
16 over the wilderness areas, including military
17 overflights that can be seen or heard within the
18 wilderness areas;

19 (B) the designation of new units of special
20 airspace over the wilderness areas; or

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

23 (7) BUFFER ZONES.—

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

4 (B) ACTIVITIES OUTSIDE WILDERNESS
5 AREAS.—The fact that an activity or use on
6 land outside any 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 (8) PARAGLIDING.—The use of paragliding
11 within areas of the Potrillo Mountains Wilderness
12 designated by paragraph (1)(E) in which the use has
13 been established before the date of enactment of this
14 Act, shall be allowed to continue in accordance with
15 section 4(d)(1) of the Wilderness Act (16 U.S.C.
16 1133(d)(1)), subject to any terms and conditions
17 that the Secretary determines to be necessary.

18 (9) CLIMATOLOGIC DATA COLLECTION.—Sub-
19 ject to such terms and conditions as the Secretary
20 may prescribe, nothing in this section precludes the
21 installation and maintenance of hydrologic, meteorolo-
22 gic, or climatologic collection devices in wilderness
23 areas if the facilities and access to the facilities are
24 essential to flood warning, flood control, or water
25 reservoir operation activities.

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

10 (11) WITHDRAWALS.—

11 (A) IN GENERAL.—Subject to valid exist-
 12 ing rights, the Federal land within the wilder-
 13 ness areas and any land or interest in land that
 14 is acquired by the United States in the wilder-
 15 ness areas after the date of enactment of this
 16 Act is withdrawn from—

17 (i) entry, appropriation, or disposal
 18 under the public land laws;

19 (ii) location, entry, and patent under
 20 the mining laws; and

21 (iii) operation of the mineral leasing,
 22 mineral materials, and geothermal leasing
 23 laws.

24 (B) PARCEL B.—The approximately 6,498
 25 acres of land generally depicted as “Parcel B”

1 on the map entitled “Organ Mountains Area”
2 and dated September 21, 2016, is withdrawn in
3 accordance with subparagraph (A), except that
4 the land is not withdrawn for purposes of the
5 issuance of oil and gas pipeline rights-of-way.

6 (C) PARCEL C.—The approximately 1,297
7 acres of land generally depicted as “Parcel C”
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 from disposal under
12 the Act of June 14, 1926 (commonly known as
13 the “Recreation and Public Purposes Act”) (43
14 U.S.C. 869 et seq.).

15 (D) PARCEL D.—

16 (i) IN GENERAL.—The Secretary of
17 the Army shall allow for the conduct of
18 certain recreational activities on the ap-
19 proximately 2,035 acres of land generally
20 depicted as “Parcel D” on the map enti-
21 tled “Organ Mountains Area” and dated
22 September 21, 2016 (referred to in this
23 subparagraph as the “parcel”), which is a
24 portion of the public land withdrawn and
25 reserved for military purposes by Public

1 Land Order 833 dated May 21, 1952 (17
2 Fed. Reg. 4822).

3 (ii) OUTDOOR RECREATION PLAN.—

4 (I) IN GENERAL.—The Secretary
5 of the Army shall develop a plan for
6 public outdoor recreation on the par-
7 cel that is consistent with the primary
8 military mission of the parcel.

9 (II) REQUIREMENT.—In devel-
10 oping the plan under subclause (I),
11 the Secretary of the Army shall en-
12 sure, to the maximum extent prac-
13 ticable, that outdoor recreation activi-
14 ties may be conducted on the parcel,
15 including: hunting, hiking, wildlife
16 viewing, and camping.

17 (iii) CLOSURES.—The Secretary of the
18 Army may close the parcel or any portion
19 of the parcel to the public as the Secretary
20 of the Army determines to be necessary to
21 protect—

22 (I) public safety; or

23 (II) the safety of the military
24 members training on the parcel.

(iv) TRANSFER OF ADMINISTRATIVE
JURISDICTION; WITHDRAWAL.—

(I) IN GENERAL.—On a determination by the Secretary of the Army that military training capabilities, personnel safety, and installation security would not be hindered as a result of the transfer to the Secretary of administrative jurisdiction over the parcel, the Secretary of the Army shall transfer to the Secretary administrative jurisdiction over the parcel.

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

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

(bb) withdrawn from—

(AA) entry, appropriation, or disposal under the public land laws;

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

1 (CC) operation of the
 2 mineral leasing, mineral ma-
 3 terials, and geothermal leas-
 4 ing laws.

5 (III) RESERVATION.—On trans-
 6 fer under subclause (I), the parcel
 7 shall be reserved for management of
 8 the resources of, and military training
 9 conducted on, the parcel in accord-
 10 ance with a memorandum of under-
 11 standing entered into under clause
 12 (v).

13 (v) MEMORANDUM OF UNDER-
 14 STANDING RELATING TO MILITARY TRAIN-
 15 ING.—

16 (I) IN GENERAL.—If, after the
 17 transfer of the parcel under clause
 18 (iv)(I), the Secretary of the Army re-
 19 quests that the Secretary enter into a
 20 memorandum of understanding, the
 21 Secretary shall enter into a memo-
 22 randum of understanding with the
 23 Secretary of the Army providing for
 24 the conduct of military training on the
 25 parcel.

1 (II) REQUIREMENTS.—The mem-
2 orandum of understanding entered
3 into under subclause (I) shall—

4 (aa) address the location,
5 frequency, and type of training
6 activities to be conducted on the
7 parcel;

8 (bb) provide to the Secretary
9 of the Army access to the parcel
10 for the conduct of military train-
11 ing;

12 (cc) authorize the Secretary
13 or the Secretary of the Army to
14 close the parcel or a portion of
15 the parcel to the public as the
16 Secretary or the Secretary of the
17 Army determines to be necessary
18 to protect—

19 (AA) public safety; or

20 (BB) the safety of the
21 military members training;
22 and

23 (dd) to the maximum extent
24 practicable, provide for the pro-
25 tection of natural, historic, and

1 cultural resources in the area of
2 the parcel.

3 (vi) MILITARY OVERFLIGHTS.—Noth-
4 ing in this subparagraph restricts or pre-
5 cludes—

6 (I) low-level overflights of mili-
7 tary aircraft over the parcel, including
8 military overflights that can be seen
9 or heard within the parcel;

10 (II) the designation of new units
11 of special airspace over the parcel; or

12 (III) the use or establishment of
13 military flight training routes over the
14 parcel.

15 (12) POTENTIAL WILDERNESS AREA.—

16 (A) ROBLEDO MOUNTAINS POTENTIAL
17 WILDERNESS AREA.—

18 (i) IN GENERAL.—Certain land ad-
19 ministered by the Bureau of Land Man-
20 agement, comprising approximately 100
21 acres as generally depicted as “Potential
22 Wilderness” on the map entitled “Desert
23 Peaks Complex” and dated April 13, 2016,
24 is designated as a potential wilderness
25 area.

1 (ii) USES.—The Secretary shall per-
2 mit only such uses on the land described in
3 clause (i) that were permitted on the date
4 of enactment of this Act.

5 (iii) DESIGNATION AS WILDERNESS.—

6 (I) IN GENERAL.—On the date
7 on which the Secretary publishes in
8 the Federal Register the notice de-
9 scribed in subclause (II), the potential
10 wilderness area designated under
11 clause (i) shall be—

12 (aa) designated as wilder-
13 ness and as a component of the
14 National Wilderness Preservation
15 System; and

16 (bb) incorporated into the
17 Robledo Mountains Wilderness
18 designated by paragraph (1)(F).

19 (II) NOTICE.—The notice re-
20 ferred to in subclause (I) is notice
21 that—

22 (aa) the communications site
23 within the potential wilderness
24 area designated under clause (i)
25 is no longer used;

1 (bb) the associated right-of-
2 way is relinquished or not re-
3 newed; and

4 (cc) the conditions in the po-
5 tential wilderness area designated
6 by clause (i) are compatible with
7 the Wilderness Act (16 U.S.C.
8 1131 et seq.).

9 (13) RELEASE OF WILDERNESS STUDY
10 AREAS.—Congress finds that, for purposes of section
11 603(c) of the Federal Land Policy and Management
12 Act of 1976 (43 U.S.C. 1782(c)), the public land in
13 Doña Ana County administered by the Bureau of
14 Land Management not designated as wilderness by
15 paragraph (1)—

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

25 (ii) title I; and

1 (iii) any other applicable laws.

2 (c) BORDER SECURITY.—

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

4 (A) prevents the Secretary of Homeland
5 Security from undertaking law enforcement and
6 border security activities, in accordance with
7 section 4(c) of the Wilderness Act (16 U.S.C.
8 1133(c)), within the wilderness areas, including
9 the ability to use motorized access within a wil-
10 derness area while in pursuit of a suspect;

11 (B) affects the 2006 Memorandum of Un-
12 derstanding among the Department of Home-
13 land Security, the Department of the Interior,
14 and the Department of Agriculture regarding
15 cooperative national security and counterter-
16 rorism efforts on Federal land along the bor-
17 ders of the United States; or

18 (C) prevents the Secretary of Homeland
19 Security from conducting any low-level over-
20 flights over the wilderness areas that may be
21 necessary for law enforcement and border secu-
22 rity purposes.

23 (2) WITHDRAWAL AND ADMINISTRATION OF
24 CERTAIN AREA.—

1 (A) WITHDRAWAL.—The area identified as
2 “Parcel A” on the map entitled “Potrillo Moun-
3 tains Complex” and dated April 18, 2016, is
4 withdrawn in accordance with subsection
5 (b)(11)(A).

6 (B) ADMINISTRATION.—Except as pro-
7 vided in subparagraphs (C) and (D), the Sec-
8 retary shall administer the area described in
9 subparagraph (A) in a manner that, to the
10 maximum extent practicable, protects the wil-
11 derness character of the area.

12 (C) USE OF MOTOR VEHICLES.—The use
13 of motor vehicles, motorized equipment, and
14 mechanical transport shall be prohibited in the
15 area described in subparagraph (A) except as
16 necessary for—

17 (i) the administration of the area (in-
18 cluding the conduct of law enforcement
19 and border security activities in the area);
20 or

21 (ii) grazing uses by authorized permit-
22 tees.

23 (D) EFFECT OF SUBSECTION.—Nothing in
24 this paragraph precludes the Secretary from al-
25 lowing within the area described in subpara-

1 graph (A) the installation and maintenance of
 2 communication or surveillance infrastructure
 3 necessary for law enforcement or border secu-
 4 rity activities.

5 (3) RESTRICTED ROUTE.—The route excluded
 6 from the Potrillo Mountains Wilderness identified as
 7 “Restricted—Administrative Access” on the map en-
 8 titled “Potrillo Mountains Complex” and dated April
 9 18, 2016, shall be—

10 (A) closed to public access; but

11 (B) available for administrative and law
 12 enforcement uses, including border security ac-
 13 tivities.

14 (d) ORGAN MOUNTAINS-DESERT PEAKS NATIONAL
 15 MONUMENT.—

16 (1) MANAGEMENT PLAN.—In preparing and im-
 17 plementing the management plan for the Monument,
 18 the Secretary shall include a watershed health as-
 19 sessment to identify opportunities for watershed res-
 20 toration.

21 (2) INCORPORATION OF ACQUIRED STATE
 22 TRUST LAND AND INTERESTS IN STATE TRUST
 23 LAND.—

24 (A) IN GENERAL.—Any land or interest in
 25 land that is within the State trust land de-

scribed in subparagraph (B) that is acquired by
the United States shall—

(i) become part of the Monument; and

(ii) be managed in accordance with—

(I) Presidential Proclamation

9131 (79 Fed. Reg. 30431); and

(II) any other applicable laws.

(B) DESCRIPTION OF STATE TRUST

LAND.—The State trust land referred to in subparagraph (A) is the State trust land in T. 22 S., R. 01 W., New Mexico Principal Meridian and T. 22 S., R. 02 W., New Mexico Principal Meridian.

(3) LAND EXCHANGES.—

(A) IN GENERAL.—Subject to subparagraphs (C) through (F), the Secretary shall attempt to enter into an agreement to initiate an exchange under section 2201.1 of title 43, Code of Federal Regulations (or successor regulations), with the Commissioner of Public Lands of New Mexico, by the date that is 18 months after the date of enactment of this Act, to provide for a conveyance to the State of all right, title, and interest of the United States in and to Bureau of Land Management land in the

1 State identified under subparagraph (B) in ex-
2 change for the conveyance by the State to the
3 Secretary of all right, title, and interest of the
4 State in and to parcels of State trust land with-
5 in the boundary of the Monument identified
6 under that subparagraph or described in para-
7 graph (2)(B).

8 (B) IDENTIFICATION OF LAND FOR EX-
9 CHANGE.—The Secretary and the Commissioner
10 of Public Lands of New Mexico shall jointly
11 identify the Bureau of Land Management land
12 and State trust land eligible for exchange under
13 this paragraph, the exact acreage and legal de-
14 scription of which shall be determined by sur-
15 veys approved by the Secretary and the New
16 Mexico State Land Office.

17 (C) APPLICABLE LAW.—A land exchange
18 under subparagraph (A) shall be carried out in
19 accordance with section 206 of the Federal
20 Land Policy and Management Act of 1976 (43
21 U.S.C. 1716).

22 (D) CONDITIONS.—A land exchange under
23 subparagraph (A) shall be subject to—

24 (i) valid existing rights; and

1 (ii) such terms as the Secretary and
2 the State shall establish.

3 (E) VALUATION, APPRAISALS, AND
4 EQUALIZATION.—

5 (i) IN GENERAL.—The value of the
6 Bureau of Land Management land and the
7 State trust land to be conveyed in a land
8 exchange under this paragraph—

9 (I) shall be equal, as determined
10 by appraisals conducted in accordance
11 with clause (ii); or

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

14 (ii) APPRAISALS.—

15 (I) IN GENERAL.—The Bureau of
16 Land Management land and State
17 trust land to be exchanged under this
18 paragraph shall be appraised by an
19 independent, qualified appraiser that
20 is agreed to by the Secretary and the
21 State.

22 (II) REQUIREMENTS.—An ap-
23 praisal under subclause (I) shall be
24 conducted in accordance with—

1 (aa) the Uniform Appraisal
2 Standards for Federal Land Ac-
3 quisitions; and

4 (bb) the Uniform Standards
5 of Professional Appraisal Prac-
6 tice.

7 (iii) EQUALIZATION.—

8 (I) IN GENERAL.—If the value of
9 the Bureau of Land Management land
10 and the State trust land to be con-
11 veyed in a land exchange under this
12 paragraph is not equal, the value may
13 be equalized by—

14 (aa) making a cash equali-
15 zation payment to the Secretary
16 or to the State, as appropriate, in
17 accordance with section 206(b) of
18 the Federal Land Policy and
19 Management Act of 1976 (43
20 U.S.C. 1716(b)); or

21 (bb) reducing the acreage of
22 the Bureau of Land Management
23 land or State trust land to be ex-
24 changed, as appropriate.

1 (II) CASH EQUALIZATION PAY-
 2 MENTS.—Any cash equalization pay-
 3 ments received by the Secretary under
 4 subclause (I)(aa) shall be—

5 (aa) deposited in the Fed-
 6 eral Land Disposal Account es-
 7 tablished by section 206(a) of the
 8 Federal Land Transaction Facili-
 9 tation Act (43 U.S.C. 2305(a));
 10 and

11 (bb) used in accordance with
 12 that Act.

13 (F) LIMITATION.—No exchange of land
 14 shall be conducted under this paragraph unless
 15 mutually agreed to by the Secretary and the
 16 State.

17 **SEC. 302. CERRO DEL YUTA AND RÍO SAN ANTONIO WIL-**
 18 **DERNESS AREAS.**

19 (a) DEFINITIONS.—In this section:

20 (1) MAP.—The term “map” means the map en-
 21 titled “Río Grande del Norte National Monument
 22 Proposed Wilderness Areas” and dated July 28,
 23 2015.

24 (2) SECRETARY.—The term “Secretary” means
 25 the Secretary of the Interior.

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

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

6 (1) IN GENERAL.—In accordance with the Wil-
7 derness Act (16 U.S.C. 1131 et seq.), the following
8 areas in the Río Grande del Norte National Monu-
9 ment are designated as wilderness and as compo-
10 nents of the National Wilderness Preservation Sys-
11 tem:

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

18 (B) RÍO SAN ANTONIO WILDERNESS.—Cer-
19 tain land administered by the Bureau of Land
20 Management in Río Arriba County, New Mex-
21 ico, comprising approximately 8,120 acres, as
22 generally depicted on the map, which shall be
23 known as the “Río San Antonio Wilderness”.

24 (2) MANAGEMENT OF WILDERNESS AREAS.—
25 Subject to valid existing rights, the wilderness areas

1 shall be administered in accordance with the Wilder-
 2 ness Act (16 U.S.C. 1131 et seq.) and this section,
 3 except that with respect to the wilderness areas des-
 4 ignated by this section—

5 (A) any reference to the effective date of
 6 the Wilderness Act shall be considered to be a
 7 reference to the date of enactment of this Act;
 8 and

9 (B) any reference in the Wilderness Act to
 10 the Secretary of Agriculture shall be considered
 11 to be a reference to the Secretary.

12 (3) INCORPORATION OF ACQUIRED LAND AND
 13 INTERESTS IN LAND.—Any land or interest in land
 14 within the boundary of the wilderness areas that is
 15 acquired by the United States shall—

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

18 (B) be managed in accordance with—

19 (i) the Wilderness Act (16 U.S.C.
 20 1131 et seq.);

21 (ii) this section; and

22 (iii) any other applicable laws.

23 (4) GRAZING.—Grazing of livestock in the wil-
 24 derness areas, where established before the date of

1 enactment of this Act, shall be administered in ac-
2 cordance with—

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

5 (B) the guidelines set forth in appendix A
6 of the Report of the Committee on Interior and
7 Insular Affairs to accompany H.R. 2570 of the
8 101st Congress (H. Rept. 101–405).

9 (5) BUFFER ZONES.—

10 (A) IN GENERAL.—Nothing in this section
11 creates a protective perimeter or buffer zone
12 around the wilderness areas.

13 (B) ACTIVITIES OUTSIDE WILDERNESS
14 AREAS.—The fact that an activity or use on
15 land outside a wilderness area can be seen or
16 heard within the wilderness area shall not pre-
17 clude the activity or use outside the boundary
18 of the wilderness area.

19 (6) RELEASE OF WILDERNESS STUDY AREAS.—

20 Congress finds that, for purposes of section 603(c)
21 of the Federal Land Policy and Management Act of
22 1976 (43 U.S.C. 1782(c)), the public land within the
23 San Antonio Wilderness Study Area not designated
24 as wilderness by this subsection—

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 title I.

8 (7) MAPS AND LEGAL DESCRIPTIONS.—

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

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

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

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

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

1 tion in the appropriate offices of the Bureau of
2 Land Management.

3 (8) NATIONAL LANDSCAPE CONSERVATION SYS-
4 TEM.—The wilderness areas shall be administered as
5 components of the National Landscape Conservation
6 System.

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

11 (10) WITHDRAWALS.—Subject to valid existing
12 rights, any Federal land within the wilderness areas
13 designated by paragraph (1), including any land or
14 interest in land that is acquired by the United
15 States after the date of enactment of this Act, is
16 withdrawn from—

17 (A) entry, appropriation, or disposal under
18 the public land laws;

19 (B) location, entry, and patent under the
20 mining laws; and

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

23 (11) TREATY RIGHTS.—Nothing in this section
24 enlarges, diminishes, or otherwise modifies any trea-
25 ty rights.

1 **TITLE IV—DESIGNATION OF WIL-**
2 **DERNESS AREAS IN CLARK**
3 **COUNTY, NEVADA**

4 **SEC. 401. FINDINGS.**

5 Congress finds that—

6 (1) public land administered by the Bureau of
7 Land Management in the County contains unique
8 and spectacular natural, cultural, and historical re-
9 sources, including—

10 (A) priceless habitat for numerous species
11 of plants and wildlife;

12 (B) thousands of acres of land that remain
13 in a natural state; and

14 (C) numerous sites containing significant
15 cultural and historical artifacts; and

16 (2) continued preservation of the public land
17 would benefit the County and all of the United
18 States by—

19 (A) ensuring the conservation of eco-
20 logically diverse habitat;

21 (B) protecting prehistoric cultural re-
22 sources;

23 (C) conserving primitive recreational re-
24 sources; and

25 (D) protecting air and water quality.

1 **SEC. 402. DEFINITIONS.**

2 In this title:

3 (1) COUNTY.—The term “County” means Clark
4 County, Nevada.

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

8 (3) PUBLIC LAND.—The term “public land”
9 has the meaning given the term “public lands” in
10 section 103 of the Federal Land Policy and Manage-
11 ment Act of 1976 (43 U.S.C. 1702).

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

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

16 (6) WILDERNESS AREA.—The term “wilderness
17 area” means a wilderness area designated by section
18 403(a).

19 **SEC. 403. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
20 **VATION SYSTEM.**

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

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

6 (2) BLACK RIDGE WILDERNESS.—Certain pub-
7 lic land managed by the Bureau of Land Manage-
8 ment, comprising approximately 18,192 acres, as
9 generally depicted on the Map, which shall be known
10 as the “Black Ridge Wilderness”.

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

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

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

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

6 (7) LIME CANYON WILDERNESS ADDITIONS.—
 7 Certain public land managed by the Bureau of Land
 8 Management, comprising approximately 10,069
 9 acres, as generally depicted on the Map, which is in-
 10 corporated in, and shall be managed as part of, the
 11 “Lime Canyon Wilderness” designated by section
 12 202(a)(9) of the Clark County Conservation of Pub-
 13 lic Land and Natural Resources Act of 2002 (16
 14 U.S.C. 1132 note; Public Law 107–282).

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

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

22 (d) MAP AND LEGAL DESCRIPTION.—

23 (1) IN GENERAL.—As soon as practicable after
 24 the date of enactment of this Act, the Secretary
 25 shall file a map and legal description of each wilder-

1 ness area with the Committee on Natural Resources
 2 of the House of Representatives and the Committee
 3 on Energy and Natural Resources of the Senate.

4 (2) EFFECT.—Each map and legal description
 5 under paragraph (1) shall have the same force and
 6 effect as if included in this title, except that the Sec-
 7 retary may correct clerical and typographical errors
 8 in the map or legal description.

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

13 **SEC. 404. ADMINISTRATION.**

14 (a) MANAGEMENT.—Subject to valid existing rights,
 15 the wilderness areas shall be administered by the Sec-
 16 retary in accordance with the Wilderness Act (16 U.S.C.
 17 1131 et seq.), except that—

18 (1) any reference in that Act to the effective
 19 date of that Act shall be considered to be a reference
 20 to the date of enactment of this Act; and

21 (2) any reference in that Act to the Secretary
 22 of Agriculture shall be considered to be a reference
 23 to the Secretary.

24 (b) INCORPORATION OF ACQUIRED LAND AND IN-
 25 TERESTS.—Any land or interest in land within the bound-

aries of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to, and administered as part of, the wilderness area within which the acquired land or interest is located.

(c) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the land designated as a wilderness area—

(i) is within the Mojave Desert;

(ii) is arid in nature; and

(iii) includes ephemeral streams;

(B) the hydrology of the land designated as a wilderness area is locally characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region within which the land designated as a wilderness area is located is characterized by ground water subject to local and regional flow gradients and artesian aquifers;

(D) the land designated as a wilderness area is generally not suitable for use or development of new water resource facilities;

(E) there are no actual or proposed water resource facilities and no opportunities for di-

1 version, storage, or other uses of water occur-
2 ring outside the land designated as a wilderness
3 area that would adversely affect the wilderness
4 or other values of the land; and

5 (F) because of the unique nature and hy-
6 drology of the desert land designated as a wil-
7 derness area and the existence of the Clark
8 County Multi-Species Habitat Conservation
9 Plan, it is possible to provide for proper man-
10 agement and protection of the wilderness, pe-
11 rennial springs, and other values of the land in
12 ways different than the methods used in other
13 laws.

14 (2) STATUTORY CONSTRUCTION.—

15 (A) NO RESERVATION.—Nothing in this
16 title constitutes an express or implied reserva-
17 tion by the United States of any water or water
18 rights with respect to the land designated as a
19 wilderness area.

20 (B) STATE RIGHTS.—Nothing in this title
21 affects any water rights in the State existing on
22 the date of enactment of this Act, including any
23 water rights held by the United States.

1 (C) NO PRECEDENT.—Nothing in this sub-
 2 section establishes a precedent with regard to
 3 any future wilderness designations.

4 (D) NO EFFECT ON COMPACTS.—Nothing
 5 in this title limits, alters, modifies, or amends
 6 any of the interstate compacts or equitable ap-
 7 portionment decrees that apportion water
 8 among and between the State and other States.

9 (E) CLARK COUNTY MULTI-SPECIES HABI-
 10 TAT CONSERVATION PLAN.—Nothing in this
 11 title limits, alters, modifies, or amends the
 12 Clark County Multi-Species Habitat Conserva-
 13 tion Plan with respect to the land designated as
 14 a wilderness area, including specific manage-
 15 ment actions for the conservation of perennial
 16 springs.

17 (3) NEVADA WATER LAW.—The Secretary shall
 18 follow the procedural and substantive requirements
 19 of State law in order to obtain and hold any water
 20 rights not in existence on the date of enactment of
 21 this Act with respect to the land designated as a wil-
 22 derness area.

23 (4) NEW PROJECTS.—

24 (A) DEFINITION.—

1 (i) IN GENERAL.—In this paragraph,
2 the term “water resource facility” means
3 irrigation and pumping facilities, res-
4 ervoirs, water conservation works, aque-
5 ducts, canals, ditches, pipelines, wells, hy-
6 dropower projects, and transmission and
7 other ancillary facilities, and other water
8 diversion, storage, and carriage structures.

9 (ii) EXCLUSION.—In this paragraph,
10 the term “water resource facility” does not
11 include wildlife guzzlers.

12 (B) NO LICENSES OR PERMITS.—Except
13 as otherwise provided in this title, on and after
14 the date of enactment of this Act, neither the
15 President nor any other officer, employee, or
16 agent of the United States shall fund, assist,
17 authorize, or issue a license or permit for the
18 development of any new water resource facility
19 within the land designated as a wilderness area.

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

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

3 (2) location, entry, and patent under the mining
4 laws; and

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

7 **SEC. 405. ADJACENT MANAGEMENT.**

8 (a) NO BUFFER ZONES.—Congress does not intend
9 for the designation of land as wilderness areas to lead to
10 the creation of protective perimeters or buffer zones
11 around the wilderness areas.

12 (b) NONWILDERNESS ACTIVITIES.—The fact that
13 nonwilderness activities or uses can be seen or heard from
14 areas within a wilderness area shall not preclude the con-
15 duct of those activities or uses outside the boundary of
16 the wilderness area.

17 **SEC. 406. MILITARY, LAW ENFORCEMENT, AND EMERGENCY**
18 **OVERFLIGHTS.**

19 Nothing in this title restricts or precludes—

20 (1) low-level overflights of military, law enforce-
21 ment, or emergency medical services aircraft over
22 the area designated as wilderness by this title, in-
23 cluding military, law enforcement, or emergency
24 medical services overflights that can be seen or
25 heard within the wilderness area;

1 (2) flight testing and evaluation; or

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

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

7 (a) FINDING.—Congress finds that, for the purposes
8 of section 603 of the Federal Land Policy and Manage-
9 ment Act of 1976 (43 U.S.C. 1782), the Bureau of Land
10 Management land in any portion of the wilderness study
11 areas located within the Gold Butte National Monument
12 not designated as a wilderness area has been adequately
13 studied for wilderness designation.

14 (b) RELEASE.—Any Bureau of Land Management
15 land described in subsection (a) that is not designated as
16 a wilderness area—

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

20 (2) shall be managed in accordance with—

21 (A) the land management plans adopted
22 under section 202 of that Act (43 U.S.C.
23 1712); and

1 (B) cooperative conservation agreements in
 2 existence on the date of enactment of this Act;
 3 and

4 (3) shall be subject to—

5 (A) the Endangered Species Act of 1973
 6 (16 U.S.C. 1531 et seq.); and

7 (B) title I.

8 **SEC. 408. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
 9 **USES.**

10 Nothing in this title diminishes—

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

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

15 **SEC. 409. WILDLIFE MANAGEMENT.**

16 (a) IN GENERAL.—In accordance with section
 17 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
 18 nothing in this title affects or diminishes the jurisdiction
 19 of the State with respect to fish and wildlife management,
 20 including the regulation of hunting, fishing, and trapping,
 21 in the wilderness areas.

22 (b) MANAGEMENT ACTIVITIES.—

23 (1) IN GENERAL.—In furtherance of the pur-
 24 poses and principles of the Wilderness Act (16
 25 U.S.C. 1131 et seq.), management activities to

1 maintain or restore fish and wildlife populations and
2 the habitats to support the populations may be car-
3 ried out within the wilderness areas, if the activi-
4 ties—

5 (A) are consistent with relevant wilderness
6 management plans; and

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

10 (2) USE OF MOTORIZED VEHICLES.—The man-
11 agement activities under paragraph (1) may include
12 the occasional and temporary use of motorized vehi-
13 cles, if the use, as determined by the Secretary,
14 would—

15 (A) promote healthy, viable, and more nat-
16 urally distributed wildlife populations that
17 would enhance wilderness values; and

18 (B) accomplish the purposes described in
19 subparagraph (A) with the minimum impact
20 necessary to reasonably accomplish the task.

21 (c) EXISTING ACTIVITIES.—Consistent with section
22 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and
23 in accordance with appropriate policies such as those set
24 forth in Appendix B of House Report 101–405, the State
25 may continue to use aircraft (including helicopters) to sur-

1 vey, capture, transplant, monitor, and provide water for
2 wildlife populations, including bighorn sheep, and feral
3 stock, horses, and burros.

4 (d) WILDLIFE WATER DEVELOPMENT PROJECTS.—

5 Subject to subsection (f), the Secretary shall authorize
6 structures and facilities, including existing structures and
7 facilities, for wildlife water development projects, including
8 guzzlers, in the wilderness areas if—

9 (1) the structures and facilities will, as deter-
10 mined by the Secretary, enhance wilderness values
11 by promoting healthy, viable and more naturally dis-
12 tributed wildlife populations; and

13 (2) the visual impacts of the structures and fa-
14 cilities on the wilderness areas can reasonably be
15 minimized.

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

17 (1) IN GENERAL.—The Secretary may des-
18 ignate, by regulation, areas in which, and establish
19 periods during which, for reasons of public safety,
20 administration, or compliance with applicable laws,
21 no hunting, fishing, or trapping will be permitted in
22 the wilderness areas.

23 (2) CONSULTATION.—Except in emergencies,
24 the Secretary shall consult with the appropriate

1 State agency before promulgating regulations under
2 paragraph (1).

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

6 (1) in accordance with the terms and conditions
7 specified in the cooperative agreement between the
8 Secretary and the State entitled “Memorandum of
9 Understanding between the Bureau of Land Man-
10 agement and the Nevada Department of Wildlife
11 Supplement No. 9” and signed November and De-
12 cember 2003, including any amendments to the co-
13 operative agreement agreed to by the Secretary and
14 the State; and

15 (2) subject to all applicable laws (including reg-
16 ulations).

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

18 (a) IN GENERAL.—In accordance with section
19 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the
20 Secretary may take such measures in each wilderness area
21 as the Secretary determines to be necessary for the control
22 of fire, insects, and diseases (including, as the Secretary
23 determines to be appropriate, the coordination of the ac-
24 tivities with a State or local agency).

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

6 **SEC. 411. CLIMATOLOGICAL DATA COLLECTION.**

7 Subject to such terms and conditions as the Secretary
8 may require, nothing in this title precludes the installation
9 and maintenance of hydrologic, meteorologic, or climato-
10 logical collection devices in the wilderness areas if the fa-
11 cilities and access to the facilities are essential to flood
12 warning, flood control, and water reservoir operation ac-
13 tivities.

○