To establish a monument in Dona Ana County, New Mexico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2012

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

A BILL

To establish a monument in Dona Ana County, New Mexico, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Organ Mountains Na-
tional Monument Establishment Act”.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) CITY.—The term “City” means the city of Las Cruces, New Mexico.
(2) COUNTY.—The term “County” means Dona
Ana County, New Mexico.

(3) MANAGEMENT PLAN.—The term “management
plan” means the management plan developed
pursuant to this Act.

(4) MAP.—The term “map” means the map ti-
tled “Organ Mountains National Monument” and

(5) MONUMENT.—The term “monument”
means the national monument established by this
Act.

(6) SECRETARY.—The term “Secretary” means
the Secretary of the Interior, acting through the Di-
rector of the Bureau of Land Management.

(7) STATE DIRECTOR.—The term “State Direc-
tor” means the New Mexico State Director of the
Bureau of Land Management.

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

SEC. 3. WATER RIGHTS.

Nothing in this Act shall—

(1) constitute or be construed to constitute ei-
ther an express or implied reservation by the United
States of any water or water rights with respect to
the lands within the monument; or
(2) affect any water rights existing on the date of the enactment of this Act, including any water right held by the United States.

SEC. 4. ESTABLISHMENT OF MONUMENT.

(a) IN GENERAL.—There is established the Organ Mountains monument in the State.

(b) AREA INCLUDED.—The monument shall consist of the approximately 58,512 acres of public land in Dona Ana County in the State, as generally depicted on the map.

SEC. 5. PURPOSES.

The purposes of the monument are to conserve, protect, and enhance the cultural, traditional, archaeological, natural, ecological, geological, historical, wildlife, livestock, watershed, educational, recreational, and scenic resources of the monument for the benefit and enjoyment of present and future generations.

SEC. 6. MANAGEMENT OF MONUMENT.

(a) IN GENERAL.—The Secretary shall manage the monument—

(1) in a manner that conserves, protects, and enhances the resources of the monument; and

(2) in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);
(B) this Act; and

(C) any other applicable laws.

(b) USES.—

(1) IN GENERAL.—The Secretary shall allow only such uses of the monument that the Secretary determines would further the purposes described in section 5.

(2) USE OF MOTORIZED VEHICLES.—Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the monument shall be permitted only on roads designated for use by motorized vehicles in the management plan. Nothing in this Act precludes the use of motorized vehicles or mechanical equipment for the construction or maintenance of range improvements or the performance of standard ranching operations or for the construction, maintenance, operation, or management of flood control or water conservation systems.

(3) NEW ROADS.—No additional road shall be built within the monument after the date of the enactment of this Act unless the Secretary determines that the road is necessary for public safety or natural resource protection.
(c) Grazing.—The Secretary shall issue any grazing leases or permits in the monument in accordance with the same laws and executive orders that apply to issuance by the Secretary of grazing leases and permits on other land under the jurisdiction of the Bureau of Land Management.

(d) Utility Right-of-Ways.—Nothing in this section precludes the Secretary from authorizing, renewing or upgrading (including widening) a utility right-of-way through the monument in a manner that minimizes harm to the purposes of the monument in accordance with—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
(2) any other applicable law; and
(3) such terms and conditions as the Secretary determines to be appropriate.

SEC. 7. MANAGEMENT PLAN.

(a) In General.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall develop a management plan for the monument.

(b) Consultation.—The management plan shall be developed in consultation with—

(1) State, tribal, and local governments;
(2) the public; and
(3) interested Federal agencies.
SEC. 8. GENERAL PROVISIONS.

(a) Map and Legal Description.—

(1) In general.—As soon as practicable after the date of the enactment of this Act, the Secretary shall file the map and legal description of the monument.

(2) Force and effect.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct errors in the map and legal description.

(3) Public availability.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of—

(A) the Bureau of Land Management;

(B) the Office of the County Clerk of Dona Ana County, New Mexico.

(4) Fish and Wildlife.—Nothing in this Act affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State.

(5) No Buffer Zones.—

(A) In general.—There shall be no buffer zone around a monument.

(B) Activities outside the Monument.—The fact that an activity or use of land
is not permitted on land within a monument
shall not preclude the activity or use outside the
boundary of the monument or on private or
State land within the monument, consistent
with other applicable laws.

(6) WITHDRAWALS.—Subject to valid existing
rights (including lease rights), all Federal land with-
in the monument and any land and interests in land
acquired for the monument by the United States
after the date of the enactment of this Act are with-
drawn from—

(A) all forms of entry, appropriation, or
disposal under the public land laws;

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

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

SEC. 9. RELEASE OF WILDERNESS STUDY AREA.

For purposes of section 603 of the Federal Land Pol-
ICY and Management Act of 1976 (43 U.S.C. 1782), the
Federal land in the following has been adequately studied
for wilderness designation and shall no longer be subject
to section 603(e) of the Federal Land Policy and Manage-
ment Act of 1976 (43 U.S.C. 1782(e));
(1) The Organ Mountains Wilderness Study Area.

(2) The Organ Needles Wilderness Study Area.

(3) The Pena Blanca Wilderness Study Area.

SEC. 10. NATIONAL LANDSCAPE CONSERVATION SYSTEM.

The monument designated by this Act shall be administered as a component of the National Landscape Conservation System.