To designate the Organ Mountains and other public land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, and for other purposes.

A BILL

To designate the Organ Mountains and other public land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of 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—
Doña Ana County Conservation and Protection Act”.

SEC. 2. DEFINITIONS.

In this Act:
(1) CONSERVATION AREA.—The term “Cons-
ervation Area” means each of the Organ Mountains
National Conservation Area and the Desert Peaks
National Conservation Area established by section
4(a).

(2) MANAGEMENT PLAN.—The term “manage-
ment plan” means the management plan for the
Conservation Areas developed under section 4(d).

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

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

SEC. 3. DESIGNATION OF WILDERNESS AREAS.

(a) IN GENERAL.—In accordance with the Wilderness
Act (16 U.S.C. 1131 et seq.), the following areas in the
State are designated as wilderness and as components of
the National Wilderness Preservation System:

(1) ADEN LAVA FLOW WILDERNESS.— Certain
land administered by the Bureau of Land Manage-
ment in Doña Ana County comprising approximately
27,650 acres, as generally depicted on the map enti-
tled “Potrillo Mountains Complex” and dated May
18, 2010, which shall be known as the “Aden Lava
Flow Wilderness”.

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(2) **Broad Canyon Wilderness.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 13,900 acres, as generally depicted on the map entitled “Desert Peaks National Conservation Area” and dated May 18, 2010, which shall be known as the “Broad Canyon Wilderness”.

(3) **Cinder Cone Wilderness.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 16,950 acres, as generally depicted on the map entitled “Potrillo Mountains Complex” and dated May 18, 2010, which shall be known as the “Cinder Cone Wilderness”.

(4) **Organ Mountains Wilderness.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,200 acres, as generally depicted on the map entitled “Organ Mountains National Conservation Area” and dated May 18, 2011, which shall be known as the “Organ Mountains Wilderness”.

(5) **Potrillo Mountains Wilderness.**—Certain land administered by the Bureau of Land Management in Doña Ana and Luna counties comprising approximately 125,850 acres, as generally depicted
on the map entitled “Potrillo Mountains Complex”
and dated May 18, 2010, which shall be known as
the “Potrillo Mountains Wilderness”.

(6) ROBLEDO MOUNTAINS WILDERNESS.—Cer-
tain land administered by the Bureau of Land Man-
agement in Doña Ana County comprising approxi-
mately 16,950 acres, as generally depicted on the
map entitled “Desert Peaks National Conservation
Area” and dated May 18, 2010, which shall be
known as the “Robledo Mountains Wilderness”.

(7) SIERRA DE LAS UVAS WILDERNESS.—Cer-
tain land administered by the Bureau of Land Man-
agement in Doña Ana County comprising approxi-
mately 11,100 acres, as generally depicted on the
map entitled “Desert Peaks National Conservation
Area” and dated May 18, 2010, which shall be
known as the “Sierra de las Uvas Wilderness”.

(8) WHITETHORN WILDERNESS.—Certain land
administered by the Bureau of Land Management in
Doña Ana and Luna counties comprising approxi-
mately 9,600 acres, as generally depicted on the
map entitled “Potrillo Mountains Complex” and
dated May 18, 2010, which shall be known as the
“Whitethorn Wilderness”.

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(b) MANAGEMENT.—Subject to valid existing rights, the wilderness areas designated by subsection (a) shall be administered by the Secretary in accordance with this Act and the Wilderness Act (16 U.S.C. 1131 et seq.) except that—

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

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

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of a wilderness area designated by subsection (a) that is acquired by the United States shall—

(1) become part of the wilderness area within the boundaries of which the land is located; and

(2) be managed in accordance with—

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

(B) this Act; and

(C) any other applicable laws.

(d) GRAZING.—Grazing of livestock in the wilderness areas designated by subsection (a), where established be-
fore the date of enactment of this Act, shall be adminis-
tered in accordance with—

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

(2) the guidelines set forth in Appendix A of
the Report of the Committee on Interior and Insular
Affairs to accompany H.R. 2570 of the 101st Con-
gress (H. Rept. 101–405).

(e) MILITARY OVERFLIGHTS.—Nothing in this sec-
tion restricts or precludes—

(1) low-level overflights of military aircraft over
the wilderness areas designated by subsection (a),
including military overflights that can be seen or
heard within the wilderness areas;

(2) the designation of new units of special air-
space over the wilderness areas designated by this
Act; or

(3) the use or establishment of military flight
training routes over wilderness areas designated by
this Act.

(f) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this section cre-
ates a protective perimeter or buffer zone around
any wilderness area designated by subsection (a).
(2) Activities outside wilderness areas.—The fact that an activity or use on land outside any wilderness area designated by subsection (a) can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(g) Potential wilderness area.—

(1) Robledo Mountains potential wilderness area.—

(A) In general.—Certain land administered by the Bureau of Land Management, comprising approximately 100 acres as generally depicted as “Potential Wilderness” on the map entitled “Desert Peaks National Conservation Area” and dated May 18, 2010, is designated as a potential wilderness area.

(B) Uses.—The Secretary shall permit only such uses on the land described in subparagraph (A) that were permitted on the date of enactment of this Act.

(C) Designation as wilderness.—

(i) In general.—On the date on which the Secretary publishes in the Federal Register the notice described in clause
(ii), the potential wilderness area designated under subparagraph (A) shall be—

(I) designated as wilderness and as a component of the National Wilderness Preservation System; and

(II) incorporated into the Robledo Mountains Wilderness designated by subsection (a)(6).

(ii) NOTICE.—The notice referred to in clause (i) is notice that—

(I) the communications site within the potential wilderness area designated under subparagraph (A) is no longer used;

(II) the associated right-of-way is relinquished or not renewed; and

(III) the conditions in the potential wilderness area designated by subparagraph (A) are compatible with the Wilderness Act (16 U.S.C. 1131 et seq.).

(h) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land in Doña Ana County adminis-
tered by the Bureau of Land Management not designated
as wilderness by subsection (a)—

(1) has been adequately studied for wilderness
designation;

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

(3) shall be managed in accordance with—

(A) the Federal Land Policy and Manage-
ment Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this Act; and

(C) any other applicable laws.

SEC. 4. ESTABLISHMENT OF NATIONAL CONSERVATION
AREAS.

(a) ESTABLISHMENT.—The following areas in the
State are established as National Conservation Areas:

(1) ORGAN MOUNTAINS NATIONAL CONSERVA-
TION AREA.—Certain land administered by the Bu-
reau of Land Management in Doña Ana County
comprising approximately 84,000 acres, as generally
depicted on the map entitled “Organ Mountains Na-
tional Conservation Area” and dated May 18, 2011,
which shall be known as the “Organ Mountains Na-
tional Conservation Area”.

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(2) Desert Peaks National Conservation Area.—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 75,550 acres, as generally depicted on the map entitled “Desert Peaks National Conservation Area” and dated May 18, 2010, which shall be known as the “Desert Peaks National Conservation Area”.

(b) Purposes.—The purposes of the Conservation Areas are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the cultural, archaeological, natural, geological, historical, ecological, watershed, wildlife, educational, recreational, and scenic resources of the Conservation Areas.

(c) Management.—

(1) In general.—The Secretary shall manage the Conservation Areas—

(A) in a manner that conserves, protects, and enhances the resources of the Conservation Areas; and

(B) in accordance with—

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

(ii) this Act; and
(iii) any other applicable laws.

(2) USES.—

(A) IN GENERAL.—The Secretary shall allow only such uses of the Conservation Areas that the Secretary determines would further the purposes described in subsection (b).

(B) USE OF MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Conservation Areas shall be permitted only on roads designated for use by motorized vehicles in the management plan.

(ii) NEW ROADS.—No additional road shall be built within the Conservation Areas after the date of enactment of this Act unless the road is necessary for public safety or natural resource protection.

(C) GRAZING.—The Secretary shall permit grazing within the Conservation Areas, where established before the date of enactment of this Act—
(i) subject to all applicable laws (including regulations) and Executive orders; and

(ii) consistent with the purposes described in subsection (b).

(D) Utility Right-of-Way Upgrades.—Nothing in this section precludes the Secretary from renewing or authorizing the upgrading (including widening) of a utility right-of-way in existence as of the date of enactment of this Act through the Organ Mountains National Conservation Area in a manner that minimizes harm to the purposes of the Conservation Area described in subsection (b)—

(i) in accordance with—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(II) any other applicable law; and

(ii) subject to such terms and conditions as the Secretary determines to be appropriate.

(d) Management Plan.—

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

(2) Consultation.—The management plans shall be developed in consultation with—

(A) interested Federal agencies;

(B) State, tribal, and local governments;

and

(C) the public.

(3) Considerations.—In preparing and implementing the management plans, the Secretary shall consider the recommendations of Indian tribes and pueblos on methods for providing access to, and protection for, traditional cultural and religious sites in the Conservation Areas.

(e) Incorporation of Acquired Land and Interests in Land.—Any land or interest in land that is within the boundary of a Conservation Area designated by subsection (a) that is acquired by the United States shall—

(1) become part of the Conservation Area within the boundaries of which the land is located; and

(2) be managed in accordance with—

(A) this Act; and

(B) any other applicable laws.

(f) Transfer of Administrative Jurisdiction.—

On the date of enactment of this Act, administrative juris-
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diction over the approximately 2,050 acres of land gen-
erally depicted as “Transfer from DOD to BLM” on the
map entitled “Organ Mountains National Conservation
Area” and dated May 18, 2011, shall—

(1) be transferred from the Secretary of De-
fense to the Secretary;
(2) become part of the Organ Mountains Na-
tional Conservation Area; and
(3) be managed in accordance with—
   (A) this Act; and
   (B) any other applicable laws.

SEC. 5. GENERAL PROVISIONS.

(a) MAPS AND LEGAL DESCRIPTIONS.—
   (1) IN GENERAL.—As soon as practicable after
   the date of enactment of this Act, the Secretary
   shall file maps and legal descriptions of the Con-
servation Areas and the wilderness areas designated
   by this Act with—
      (A) the Committee on Energy and Natural
      Resources of the Senate; and
      (B) the Committee on Natural Resources
      of the House of Representatives.
   (2) FORCE OF LAW.—The maps and legal de-
scriptions filed under paragraph (1) shall have the
   same force and effect as if included in this Act, ex-
cept that the Secretary may correct errors in the maps and legal descriptions.

(3) **Public Availability.**—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(b) **National Landscape Conservation System.**—The Conservation Areas and the wilderness areas designated by this Act shall be administered as components of the National Landscape Conservation System.

(c) **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, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones where, and establish periods during which, hunting, or fishing shall not be allowed for reasons of public safety, administration, the protection for nongame species and their habitats, or public use and enjoyment.

(d) **Withdrawals.**—

(1) **In General.**—Subject to valid existing rights, the Federal land within the Conservation Areas, the wilderness areas designated by this Act, and any land or interest in land that is acquired by
the United States in the Conservation Areas or wilderness areas after the date of enactment of this Act is withdrawn from—

(A) 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, mineral materials, and geothermal leasing laws.

(2) PARCEL A.—The approximately 1,300 acres of land generally depicted as “Parcel A” on the map entitled “Organ Mountains National Conservation Area” and dated May 18, 2011, is withdrawn in accordance with paragraph (1), except that the land is not withdrawn from disposal under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(3) PARCEL B.—The approximately 6,500 acres of land generally depicted as “Parcel B” on the map entitled “Organ Mountains National Conservation Area” and dated May 18, 2011, is withdrawn in accordance with paragraph (1), except that the land is not withdrawn for purposes of the issuance of oil and gas pipeline rights-of-way.
SEC. 6. PREHISTORIC TRACKWAYS NATIONAL MONUMENT

BOUNDARY ADJUSTMENT.

Section 2103 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 431 note; Public Law 111–11; 123 Stat. 1097) is amended by striking subsection (b) and inserting the following:

“(b) DESCRIPTION OF LAND.—The Monument shall consist of approximately 5,750 acres of public land in Doña Ana County, New Mexico, as generally depicted on the map entitled ‘Desert Peaks National Conservation Area’ and dated May 18, 2010.”

SEC. 7. BORDER SECURITY.

(a) IN GENERAL.—Nothing in this Act—

(1) prevents the Secretary of Homeland Security from undertaking law enforcement and border security activities, in accordance with section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), within the areas designated as wilderness by this Act, including the ability to use motorized access within a wilderness area while in pursuit of a suspect;

(2) affects the 2006 Memorandum of Understanding among the Department of Homeland Security, the Department of the Interior, and the Department of Agriculture regarding cooperative national security and counterterrorism efforts on Federal land along the borders of the United States; or
(3) prevents the Secretary of Homeland Security from conducting any low-level overflights over the wilderness areas designated by this Act that may be necessary for law enforcement and border security purposes.

(b) Restricted Use Area.—

(1) Withdrawal.—The area identified as “Restricted Use Area” on the map entitled “Potrillo Mountains Complex” and dated May 18, 2010, is withdrawn in accordance with section 5(d)(1).

(2) Administration.—Except as provided in paragraphs (3) and (4), the Secretary shall administer the area described in paragraph (1) in a manner that, to the maximum extent practicable, protects the wilderness character of the area.

(3) Use of Motor Vehicles.—The use of motor vehicles, motorized equipment, and mechanical transport shall be prohibited in the area described in paragraph (1) except as necessary for—

(A) the administration of the area (including the conduct of law enforcement and border security activities in the area); or

(B) grazing uses by authorized permittees.

(4) Effect of Subsection.—Nothing in this subsection precludes the Secretary from allowing
within the area described in paragraph (1) the installation and maintenance of communication or surveillance infrastructure necessary for law enforcement or border security activities.

(c) RESTRICTED ROUTE.—The route excluded from the Potrillo Mountains Wilderness identified as “Restricted—Administrative Access” on the map entitled “Potrillo Mountains Complex” and dated May 18, 2010, shall be—

(1) closed to public access; but

(2) available for administrative and law enforcement uses, including border security activities.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.