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

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2013

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.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Organ Mountains Na-
5 tional Monument Establishment Act”.
6 SEC. 2. DEFINITIONS.
7 For the purposes of this Act:
8 (1) CITY.—The term “City” means the city of
9 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 titled “Organ Mountains National Monument” and dated February 6, 2013.

(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 Director of the Bureau of Land Management.

(7) STATE DIRECTOR.—The term “State Director” 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 either 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 approximately 54,800 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, pro-
tect, 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 Manage-
ment 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 Manage-
ment.

(d) Utility Right-of-Ways.—Nothing in this sec-
tion 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 de-
velop 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; and

(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 within 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 withdrawn 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, mineral materials, and geothermal leasing laws.

SEC. 9. HUNTING AND TRAPPING.

(a) IN GENERAL.—The Secretary shall allow hunting and trapping in the monument.

(b) LIMITATIONS.—

(1) REGULATIONS.—The Secretary may designate by regulation areas in the monument in which, and establish periods during which no hunting or trapping will be allowed for reasons of public
safety, administration, or compliance with applicable laws.

(2) CONSULTATION.—The Secretary shall obtain the concurrence of the appropriate State agency before promulgating regulations under paragraph (1) that close a portion of the monument to hunting or trapping.

SEC. 10. RELEASE OF WILDERNESS STUDY AREA.

For purposes of section 603 of the Federal Land Policy 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(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)):

(1) The Organ Mountains Wilderness Study Area.

(2) The Organ Needles Wilderness Study Area.

(3) The Pena Blanca Wilderness Study Area.

SEC. 11. LAW ENFORCEMENT.

Nothing in this Act, or regulations issued in furtherance of this Act, shall prevent Federal, State, or local law enforcement personnel from having unfettered access to the entire monument, including the use of motorized vehicles and specialized equipment.
SEC. 12. NATIONAL LANDSCAPE CONSERVATION SYSTEM.

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