

119TH CONGRESS
2D SESSION

S. 4458

To establish the Caja del Rio Special Management Area and Caja del Rio National Conservation Area in the State of New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2026

Mr. HEINRICH (for himself and Mr. LUJÁN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Caja del Rio Special Management Area and Caja del Rio National Conservation Area in the State of 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Caja del Rio Protection Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—CAJA DEL RIO SPECIAL MANAGEMENT AREA

- Sec. 101. Establishment of the Caja del Rio Special Management Area.
 Sec. 102. Management of the Special Management Area.

TITLE II—CAJA DEL RIO NATIONAL CONSERVATION AREA

- Sec. 201. Establishment of the Caja del Rio National Conservation Area.
 Sec. 202. Management of the Conservation Area.
 Sec. 203. Land exchanges.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Management of Covered Areas.
 Sec. 302. Tribal contracting and protected rights.
 Sec. 303. Effect.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CONSERVATION AREA.—The term “Con-
 4 servation Area” means the Caja del Rio National
 5 Conservation Area established by section 201(a)(1).

6 (2) COVERED AREA.—The term “covered area”
 7 means each of—

8 (A) the Conservation Area; and

9 (B) the Special Management Area.

10 (3) DECOMMISSION.—The term “decommis-
 11 sion,” with respect to a road, means—

12 (A) reestablishing native vegetation on the
 13 road;

14 (B) effectively blocking the road to vehic-
 15 ular traffic, where feasible; and

16 (C) developing and implementing an effec-
 17 tive monitoring and response plan for invasive
 18 species and vehicular traffic incursions.

1 (4) ECOLOGICAL RESTORATION.—The term “ec-
2 ological restoration” has the meaning given the term
3 “restoration” in section 4 of the Southwest Forest
4 Health and Wildfire Prevention Act of 2004 (16
5 U.S.C. 6703).

6 (5) INDIAN LAND.—The term “Indian land”
7 has the meaning given the term “Indian lands” in
8 section 4 of the Indian Gaming Regulatory Act (25
9 U.S.C. 2703).

10 (6) INDIAN TRIBE.—The tern “Indian Tribe”
11 means the governing body of any Indian or Alaska
12 Native tribe, band, nation, pueblo, village, commu-
13 nity, component band, or component reservation in-
14 dividually identified (including parenthetically) in
15 the list published most recently as of the date of en-
16 actment of this Act pursuant to section 104 of the
17 Federally Recognized Indian Tribe List Act of 1994
18 (25 U.S.C. 5131).

19 (7) INDIGENOUS KNOWLEDGE.—The term “In-
20 digenous knowledge” has the meaning given the
21 term in section 219.19 of title 36, Code of Federal
22 Regulations (or a successor regulation).

23 (8) INTERESTED INDIAN TRIBE.—The term
24 “interested Indian Tribe”, with respect to the cov-
25 ered area, means an Indian Tribe with—

1 (A) historic, precontact, cultural, or reli-
 2 gious connections to the public land within the
 3 covered area;

4 (B) a former reservation located within the
 5 covered area; or

6 (C) treaty rights or other reserved rights
 7 associated with the covered area.

8 (9) LAND GRANT-MERCED.—The term “land
 9 grant-merced” means a community land grant
 10 issued under the laws or customs of the Government
 11 of Spain or Mexico that—

12 (A) is recognized under New Mexico Stat-
 13 utes Chapter 49, Articles 1 and 4 (or a suc-
 14 cessor statute);

15 (B) has a record of traditional historic use
 16 in the covered area; or

17 (C) has a patented exterior boundary that
 18 is or was previously located on or adjacent to
 19 the covered area.

20 (10) MAP.—The term “Map” means the map
 21 entitled “The Caja del Rio Special Management
 22 Area and National Conservation Area” and dated
 23 April 20, 2026.

24 (11) SECRETARY.—The term “Secretary”
 25 means—

1 (A) in title I, the Secretary of Agriculture;

2 (B) in title II, the Secretary of the Inte-

3 rior; and

4 (C) in this section and title III—

5 (i) the Secretary of the Interior, with

6 respect to land under the jurisdiction of

7 the Secretary of the Interior; and

8 (ii) the Secretary of Agriculture, with

9 respect to land under the jurisdiction of

10 the Secretary of Agriculture.

11 (12) SPECIAL MANAGEMENT AREA.—The term

12 “Special Management Area” means the Caja del Rio

13 Special Management Area established by section

14 101(a)(1).

15 (13) STATE.—The term “State” means the

16 State of New Mexico.

17 (14) TRADITIONAL HISTORIC COMMUNITY.—

18 The term “traditional historic community” means a

19 historic community that—

20 (A) meets the definition of that term in

21 New Mexico Statutes Section 3–7–1.1 (or a

22 successor statute); and

23 (B) has a record of traditional historic use

24 in the covered area.

1 (15) TRADITIONAL HISTORIC USE.—The term
2 “traditional historic use” means a habitual use con-
3 ducted by a land grant-merced or traditional historic
4 community within the covered area for noncommer-
5 cial or personal benefit, including—

6 (A) hunting, fishing, grazing, wood gath-
7 ering, pinon harvesting, or herb and plant gath-
8 ering; or

9 (B) any long-established and habitual and
10 sustainable use by the land grant-merced or
11 traditional historic community, as determined
12 by the Secretary, in coordination with the land
13 grant-merced or traditional historic community,
14 that is agreed to in writing by the Secretary
15 and the land grant-merced or traditional his-
16 toric community.

17 (16) TRIBAL ORGANIZATION.—The term “Trib-
18 al organization” has the meaning given that term in
19 section 4 of the Indian Self-Determination and Edu-
20 cation Assistance Act (25 U.S.C. 5304), except that
21 such organization shall be affiliated with an inter-
22 ested Indian Tribe.

23 (17) WITHDRAWAL AREA.—The term “with-
24 drawal area” means the area withdrawn by section
25 401.

1 **TITLE I—CAJA DEL RIO SPECIAL**
2 **MANAGEMENT AREA**

3 **SEC. 101. ESTABLISHMENT OF THE CAJA DEL RIO SPECIAL**
4 **MANAGEMENT AREA.**

5 (a) ESTABLISHMENT.—

6 (1) IN GENERAL.—Subject to valid existing
7 rights, there is established the Caja del Rio Special
8 Management Area in the State.

9 (2) LAND INCLUDED.—The Special Manage-
10 ment Area shall consist of approximately 67,163
11 acres of Federal land in the Santa Fe National For-
12 est in the State as generally depicted as “Caja del
13 Rio Special Management Area” on the Map.

14 (b) PURPOSES.—The purposes of the Special Man-
15 agement Area are—

16 (1) to conserve and permanently protect the
17 cultural, spiritual, religious, scenic viewshed, ecologi-
18 cal, wildlife habitat, natural, geological, historical,
19 and traditional values of the Special Management
20 Area; and

21 (2) to enhance opportunities for interested In-
22 dian Tribes to engage in the preservation and man-
23 agement of the Special Management Area.

1 **SEC. 102. MANAGEMENT OF THE SPECIAL MANAGEMENT**
2 **AREA.**

3 (a) IN GENERAL.—The Secretary shall manage the
4 Special Management Area—

5 (1) subject to valid existing rights;

6 (2) in accordance with—

7 (A) this Act;

8 (B) the Forest and Rangeland Renewable
9 Resources Planning Act of 1974 (16 U.S.C.
10 1600 et seq.); and

11 (C) any other applicable laws; and

12 (3) in a manner that conserves, protects, and
13 enhances the resources of the Special Management
14 Area.

15 (b) USES.—The Secretary shall allow only uses of the
16 Special Management Area that are consistent with—

17 (1) opportunities for cultural, spiritual, reli-
18 gious, medicinal, and traditional historic practices
19 within the Special Management Area; and

20 (2) the purposes described in section 101(b).

21 (c) MANAGEMENT PLAN.—

22 (1) PLAN REQUIRED.—Not later than 3 years
23 after the date of enactment of this Act, the Sec-
24 retary shall develop a comprehensive management
25 plan for the long-term management of the Special
26 Management Area.

1 (2) COORDINATION AND CONSULTATION.—The
2 Secretary shall prepare and revise the management
3 plan required under paragraph (1)—

4 (A) in coordination with—

5 (i) the Secretary of the Interior, with
6 respect to the development of a manage-
7 ment plan for the Conservation Area and
8 the withdrawal area, as described in sec-
9 tion 202(c);

10 (ii) the Director of the National Park
11 Service and the Director of the Bureau of
12 Land Management, with respect to the ad-
13 ministration, protection, and interpretation
14 of the El Camino Real de Tierra Adentro
15 National Historic Trail;

16 (iii) the State; and

17 (iv) applicable units of local govern-
18 ment, including any applicable land grant-
19 mercedes or traditional historic commu-
20 nities; and

21 (B) in consultation with interested Indian
22 Tribes.

23 (3) TRAVEL MANAGEMENT.—

24 (A) IN GENERAL.—The Secretary shall in-
25 clude in the management plan required under

1 paragraph (1) a travel management plan to de-
2 crease unauthorized road access and motorized
3 use in the Special Management Area.

4 (B) DESIGNATION AND MAINTENANCE OF
5 ROADS.—

6 (i) IN GENERAL.—Except as provided
7 in clause (ii), only roads depicted on the
8 Map shall be designated and maintained by
9 the Secretary in the Special Management
10 Area.

11 (ii) ADDITIONAL ROADS.—The Sec-
12 retary may designate roads in the Special
13 Management Area in addition to the roads
14 referred to in clause (i) if the Secretary de-
15 termines the additional roads are nec-
16 essary—

17 (I) to achieve the purposes de-
18 scribed in section 101(b); or

19 (II) not more than 1 mile from
20 the historic settlement area commonly
21 known as “Buckman”, to accommo-
22 date critical water infrastructure or
23 recreation access.

24 (4) EXISTING AGREEMENTS.—To the maximum
25 extent practicable, the Secretary shall incorporate

1 into the management plan required under paragraph
2 (1) stewardship agreements or contracts relating to
3 the Federal land described in section 101(a)(2) that
4 exist on the date of enactment of this Act.

5 (5) COOPERATING AGENCY.—At the request of
6 an interested Indian Tribe, the Secretary shall in-
7 clude the interested Indian Tribe as a cooperating
8 agency in the development and revision of the man-
9 agement plan required under paragraph (1).

10 (6) INDIGENOUS KNOWLEDGE.—At the request
11 of an interested Indian Tribe, the Secretary shall en-
12 sure that Indigenous knowledge is incorporated into
13 the development and revision of the management
14 plan required under paragraph (1).

15 (d) MAPS AND LEGAL DESCRIPTIONS.—

16 (1) IN GENERAL.—As soon as practicable after
17 the date of enactment of this Act, the Secretary
18 shall file maps and legal descriptions of the Special
19 Management Area with—

20 (A) the Committee on Energy and Natural
21 Resources of the Senate; and

22 (B) the Committee on Natural Resources
23 of the House of Representatives.

24 (2) FORCE OF LAW.—The maps and legal de-
25 scriptions filed under paragraph (1) shall have the

1 same force and effect as if included in this Act, ex-
 2 cept that the Secretary may correct errors in the
 3 maps and legal descriptions.

4 (3) PUBLIC AVAILABILITY.—The maps and
 5 legal descriptions filed under paragraph (1) shall be
 6 on file and available for public inspection in the ap-
 7 propriate offices of the Forest Service.

8 **TITLE II—CAJA DEL RIO NA-** 9 **TIONAL CONSERVATION AREA**

10 **SEC. 201. ESTABLISHMENT OF THE CAJA DEL RIO NA-** 11 **TIONAL CONSERVATION AREA.**

12 (a) ESTABLISHMENT.—

13 (1) IN GENERAL.—Subject to valid existing
 14 rights, there is established the Caja del Rio National
 15 Conservation Area in the State.

16 (2) LAND INCLUDED.—The Conservation Area
 17 shall consist of approximately 17,837 acres of Bu-
 18 reau of Land Management land in the State as gen-
 19 erally depicted as “Caja del Rio-National Conserva-
 20 tion Area” on the Map.

21 (b) PURPOSES.—The purposes of the Conservation
 22 Area are—

23 (1) to conserve and permanently protect the
 24 cultural, spiritual, religious, scenic viewshed, ecologi-

1 cal, wildlife habitat, natural, geological, historical,
2 and traditional values of the Conservation Area; and
3 (2) to enhance opportunities for interested In-
4 dian Tribes to engage in the preservation and man-
5 agement of the Conservation Area.

6 **SEC. 202. MANAGEMENT OF THE CONSERVATION AREA.**

7 (a) IN GENERAL.—The Secretary shall manage the
8 Conservation Area—

- 9 (1) subject to valid and existing rights;
10 (2) in accordance with—
11 (A) this Act;
12 (B) the Federal Land Policy and Manage-
13 ment Act of 1976 (43 U.S.C. 1701 et seq.); and
14 (C) any other applicable laws;
15 (3) in a manner that conserves, protects, and
16 enhances the resources of the Conservation Area;
17 and
18 (4) as a component of the National Landscape
19 Conservation System.

20 (b) USES.—The Secretary shall allow only uses of the
21 Conservation Area that are consistent with—

- 22 (1) opportunities to undertake cultural, spir-
23 itual, medicinal, religious, or traditional historic use
24 practices in the Conservation Area; and
25 (2) the purposes described in section 201(b).

1 (c) MANAGEMENT PLAN.—

2 (1) PLAN REQUIRED.—Not later than 3 years
3 after the date of enactment of this Act, the Sec-
4 retary shall develop a comprehensive management
5 plan for the long-term management of the Conserva-
6 tion Area and the withdrawal area.

7 (2) COORDINATION AND CONSULTATION.—The
8 Secretary shall prepare and revise the management
9 plan required under paragraph (1)—

10 (A) in coordination with—

11 (i) the Secretary of Agriculture, with
12 respect to the development of a manage-
13 ment plan for the Special Management
14 Area, as described in section 102(c);

15 (ii) the Director of the National Park
16 Service and the Chief of the Forest Serv-
17 ice, with respect to the administration, pro-
18 tection, and interpretation of the El Ca-
19 mino Real de Tierra Adentro National His-
20 toric Trail;

21 (iii) the State; and

22 (iv) applicable units of local govern-
23 ment, including any applicable land grant-
24 mercedes or traditional historic commu-
25 nities; and

1 (B) in consultation with interested Indian
2 Tribes.

3 (3) EXISTING AGREEMENTS.—To the maximum
4 extent practicable, the Secretary shall incorporate
5 into the management plan required under paragraph
6 (1) stewardship agreements or contracts relating to
7 the Federal land described in section 201(a)(2) that
8 exist on the date of enactment of this Act.

9 (4) COOPERATING AGENCY.—At the request of
10 an interested Indian Tribe, the Secretary shall in-
11 clude the interested Indian Tribe as a cooperating
12 agency in the development and revision of the man-
13 agement plan required under paragraph (1).

14 (5) INDIGENOUS KNOWLEDGE.—At the request
15 of an interested Indian Tribe, the Secretary shall en-
16 sure that Indigenous knowledge is incorporated into
17 the development and revision of the management
18 plan required under paragraph (1).

19 (d) TRAVEL MANAGEMENT.—

20 (1) IN GENERAL.—Not later than 1 year after
21 the date of enactment of this Act, the Secretary
22 shall prepare a travel management plan to decrease
23 unauthorized road access and motorized use in the
24 Conservation Area and the withdrawal area.

1 (2) REQUIREMENT.—In preparing the travel
2 management plan under paragraph (1), the Sec-
3 retary shall designate the use of motorized vehicles
4 only on—

5 (A) the road within the Conservation Area
6 identified as CR 55C or “Old Route 66”; and

7 (B) any roads in the Conservation Area
8 and the withdrawal area that the Secretary de-
9 termines to be necessary—

10 (i) to achieve the purposes described
11 in section 201(b); and

12 (ii) to allow for access to private prop-
13 erty or critical infrastructure.

14 (e) MAPS AND LEGAL DESCRIPTIONS.—

15 (1) IN GENERAL.—As soon as practicable after
16 the date of enactment of this Act, the Secretary
17 shall file maps and legal descriptions of the Con-
18 servation Area with—

19 (A) the Committee on Energy and Natural
20 Resources of the Senate; and

21 (B) the Committee on Natural Resources
22 of the House of Representatives.

23 (2) FORCE OF LAW.—The maps and legal de-
24 scriptions filed under paragraph (1) shall have the
25 same force and effect as if included in this Act, ex-

1 cept that the Secretary may correct errors in the
2 maps and legal descriptions.

3 (3) PUBLIC AVAILABILITY.—The maps and
4 legal descriptions filed under paragraph (1) shall be
5 on file and available for public inspection in the ap-
6 propriate offices of the Bureau of Land Manage-
7 ment.

8 **SEC. 203. LAND EXCHANGES.**

9 (a) IN GENERAL.—Subject to subsections (c) through
10 (f), the Secretary shall attempt to enter into an agreement
11 to initiate an exchange under section 2201.1 of title 43,
12 Code of Federal Regulations (or successor regulations),
13 with the Commissioner of Public Lands of New Mexico,
14 by the date that is 18 months after the date of enactment
15 of this Act, to provide for a conveyance to the State of
16 all right, title, and interest of the United States in and
17 to the Bureau of Land Management land in the State
18 identified under subsection (b) in exchange for the convey-
19 ance by the State to the Secretary of all right, title, and
20 interest of the State in and to parcels of State trust land
21 within the boundary of the Conservation Area described
22 in section 201(a)(2) or the boundary of the withdrawal
23 area described in section 401.

24 (b) IDENTIFICATION OF LAND FOR EXCHANGE.—
25 The Secretary and the Commissioner of Public Lands of

1 New Mexico shall jointly identify the Bureau of Land
 2 Management land in the State and State trust land eligi-
 3 ble for exchange under this section, the exact acreage and
 4 legal description of which shall be determined by surveys
 5 approved by the Secretary and the New Mexico State
 6 Land Office.

7 (c) APPLICABLE LAW.—A land exchange under sub-
 8 section (a) shall be carried out in accordance with section
 9 206 of the Federal Land Policy and Management Act of
 10 1976 (43 U.S.C. 1716).

11 (d) CONDITIONS.—A land exchange under subsection
 12 (a) shall be subject to—

13 (1) valid existing rights; and

14 (2) such terms as the Secretary and the State
 15 shall establish.

16 (e) VALUATION, APPRAISALS, AND EQUALIZATION.—

17 (1) IN GENERAL.—The value of the Bureau of
 18 Land Management land and the State trust land to
 19 be conveyed in a land exchange under this section—

20 (A) shall be equal, as determined by ap-
 21 praisals conducted in accordance with para-
 22 graph (2); or

23 (B) if not equal, shall be equalized in ac-
 24 cordance with paragraph (3).

25 (2) APPRAISALS.—

1 (A) IN GENERAL.—The Bureau of Land
2 Management land and State trust land to be
3 exchanged under this section shall be appraised
4 by an independent, qualified appraiser that is
5 agreed to by the Secretary and the State.

6 (B) REQUIREMENTS.—An appraisal under
7 subparagraph (A) shall be conducted in accord-
8 ance with—

9 (i) the Uniform Appraisal Standards
10 for Federal Land Acquisitions; and

11 (ii) the Uniform Standards of Profes-
12 sional Appraisal Practice.

13 (3) EQUALIZATION.—

14 (A) IN GENERAL.—If the value of the Bu-
15 reau of Land Management land and the State
16 trust land to be conveyed in a land exchange
17 under this section is not equal, the value may
18 be equalized by—

19 (i) making a cash equalization pay-
20 ment to the Secretary or to the State, as
21 appropriate, in accordance with section
22 206(b) of the Federal Land Policy and
23 Management Act of 1976 (43 U.S.C.
24 1716(b)); or

1 (ii) reducing the acreage of the Bu-
 2 reau of Land Management land or State
 3 trust land to be exchanged, as appropriate.

4 (B) CASH EQUALIZATION PAYMENTS.—

5 Any cash equalization payments received by the
 6 Secretary under subparagraph (A)(i) shall be—

7 (i) deposited in the Federal Land Dis-
 8 posal Account established by section
 9 206(a) of the Federal Land Transaction
 10 Facilitation Act (43 U.S.C. 2305(a)); and

11 (ii) used in accordance with that Act
 12 (43 U.S.C. 2301 et seq.).

13 (f) LIMITATION.—No exchange of land shall be con-
 14 ducted under this section unless mutually agreed to by the
 15 Secretary and the State.

16 **TITLE III—GENERAL** 17 **PROVISIONS**

18 **SEC. 301. MANAGEMENT OF COVERED AREAS.**

19 (a) ROAD CONSTRUCTION.—

20 (1) PERMANENT ROADS.—No new permanent
 21 road construction shall be permitted in a covered
 22 area unless otherwise designated under section
 23 102(c)(3)(B) or 202(d)(2).

24 (2) TEMPORARY ROADS.—Except as necessary
 25 for administrative purposes, the protection of health

1 and safety, the control of fire, insects, or diseases,
2 to facilitate cultural uses, or to provide reasonable
3 access to private property, no temporary road con-
4 struction shall be permitted in a covered area.

5 (3) DECOMMISSIONING OF ROADS.—Not later
6 than 3 years after the date of enactment of this Act,
7 the Secretary shall decommission any road in a cov-
8 ered area that has not been designated on the Map
9 or in the applicable travel management plan for the
10 covered area.

11 (b) MOTORIZED VEHICLES.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2), the use of motorized vehicles in a covered
14 area shall be permitted only on roads that are des-
15 ignated on the Map or in the applicable travel man-
16 agement plan for the covered area.

17 (2) EXCEPTIONS.—The use of motorized vehi-
18 cles may be allowed in a covered area on roads not
19 described in paragraph (1) if the use is necessary—

20 (A) for administrative purposes;

21 (B) to respond to an emergency;

22 (C) for Tribal religious or cultural prac-
23 tices; or

24 (D) for grazing in accordance with sub-
25 section (d).

1 (c) WITHDRAWALS.—

2 (1) IN GENERAL.—Subject to valid existing
3 rights, all Federal land within a covered area, in-
4 cluding any land or interest in land that is acquired
5 by the United States within the covered area after
6 the date of enactment of this Act, is withdrawn
7 from—

8 (A) all forms of entry, appropriation, or
9 disposal under public land laws, including the
10 issuance of new rights-of-way on, under, or
11 through the applicable Federal land;

12 (B) location, entry, and patent under min-
13 ing laws; and

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

16 (2) ADDITIONAL LAND.—If the Secretary ac-
17 quires additional land within a covered area or the
18 withdrawal area after the date of enactment of this
19 Act, the acquired land is withdrawn from operation
20 of the laws referred to in paragraph (1) on the date
21 of acquisition of the land.

22 (d) GRAZING.—The grazing of livestock in a covered
23 area, as established before the date of enactment of this
24 Act, shall be permitted to continue—

1 (1) subject to such reasonable regulations, poli-
2 cies, and practices as the Secretary considers nec-
3 essary;

4 (2) in accordance with applicable law; and

5 (3) in a manner consistent with the purposes of
6 the applicable covered area described in section
7 101(b) or 201(b).

8 (e) WILDFIRE, INSECT, AND DISEASE MANAGE-
9 MENT.—Nothing in this Act prohibits the Secretary, in co-
10 operation with other Federal, State, and local agencies,
11 as appropriate, from conducting any measures necessary
12 to control wildland fire, insects, and diseases in a covered
13 area, consistent with the purposes of this Act.

14 (f) ECOLOGICAL RESTORATION.—

15 (1) IN GENERAL.—Ecological restoration in a
16 covered area may be permitted—

17 (A) if necessary to protect, maintain, or
18 enhance the applicable covered area (including
19 the protection of traditional food or material
20 gathering);

21 (B) for any purposes necessary to control
22 wildland fire, insects, and diseases; and

23 (C) to support the resilience of watersheds
24 and wildlife habitat.

1 (2) REQUIREMENT.—Ecological restoration
2 under paragraph (1) shall be carried out in a cov-
3 ered area—

4 (A) subject to such reasonable regulations,
5 policies, and practices as the Secretary con-
6 siders necessary;

7 (B) in a manner consistent with the pur-
8 poses of the applicable covered area as de-
9 scribed in section 101(b) or 201(b); and

10 (C) in accordance with applicable law.

11 (g) ACQUISITION OF LAND.—

12 (1) IN GENERAL.—The Secretary may acquire
13 any land or interest in land within the boundary of
14 a covered area or contiguous to a covered area, as
15 depicted on the Map, by donation, purchase from a
16 willing seller, or exchange.

17 (2) INCORPORATION OF ACQUIRED LAND AND
18 INTERESTS IN LAND.—Any land or interest in land
19 acquired under paragraph (1) shall—

20 (A) if the acquired land or interest in land
21 is within the Santa Fe National Forest, become
22 part of the Special Management Area; or

23 (B) if the acquired land or interest in land
24 is not located within the Santa Fe National
25 Forest, become part of the Conservation Area.

1 (3) WITHDRAWAL AREA.—The Secretary of the
2 Interior may acquire any land or interest in land
3 within the boundary of the withdrawal area, as de-
4 picted on the Map, by donation, purchase from a
5 willing seller, or exchange.

6 (h) LAW ENFORCEMENT.—

7 (1) IN GENERAL.—The Secretary shall ensure
8 adequate law enforcement presence in a covered area
9 with respect to law enforcement matters under the
10 jurisdiction of the Secretary to maintain the integ-
11 rity of the covered area.

12 (2) NO EFFECT ON JURISDICTION.—Nothing in
13 this Act limits or otherwise affects the civil or crimi-
14 nal regulatory jurisdiction, including law enforce-
15 ment, for issues under the jurisdiction of an Indian
16 Tribe.

17 (3) PENALTIES.—In developing a management
18 plan for a covered area, the Secretary may consider
19 provisions for increased penalties for unauthorized
20 activities in the covered area, including littering,
21 vandalism, damage to cultural sites, and unauthor-
22 ized recreational shooting.

23 (i) NOTICE OF AVAILABLE ROUTES AND PROHIBITED
24 USES.—The Secretary shall ensure that visitors to a cov-
25 ered area have access to adequate notice relating to des-

1 ignated routes, roads, and prohibited uses in the covered
2 area through—

3 (1) the placement of appropriate signage along
4 designated routes, parking areas, trailheads, or any
5 other highly visited area, including notice of pen-
6 alties for prohibited uses; and

7 (2) the distribution of maps, safety education
8 materials, and other information that the Secretary
9 determines to be appropriate.

10 **SEC. 302. TRIBAL CONTRACTING AND PROTECTED RIGHTS.**

11 (a) TRIBAL CONTRACTING.—

12 (1) IN GENERAL.—The Secretary may contract
13 with 1 or more interested Indian Tribes or Tribal
14 organizations to perform administrative or manage-
15 ment functions within a covered area through—

16 (A) contracts entered into under the In-
17 dian Self-Determination and Education Assist-
18 ance Act (25 U.S.C. 5301 et seq.);

19 (B) agreements or contracts entered into
20 under section 2 of the Tribal Forest Protection
21 Act of 2004 (25 U.S.C. 3115a);

22 (C) agreements or contracts for steward-
23 ship contracting projects entered into under
24 section 604 of the Healthy Forests Restoration
25 Act of 2003 (16 U.S.C. 6591c); and

1 (D) any other applicable authority.

2 (2) TRIBAL ASSISTANCE.—Using any applicable
3 authority, the Secretary may provide technical and
4 financial assistance to an interested Indian Tribe to
5 improve the capacity of the interested Indian Tribe
6 to develop, enter into, and carry out activities under
7 an agreement or contract entered into under para-
8 graph (1).

9 (b) TRIBAL CULTURAL AND RELIGIOUS USES.—

10 (1) IN GENERAL.—Nothing in this Act dimin-
11 ishes any Tribal rights relating to access to a cov-
12 ered area for Tribal activities, including spiritual,
13 cultural, medicinal, and traditional food gathering
14 activities.

15 (2) TRIBAL USES AND INTERESTS.—

16 (A) ACCESS AND USE.—In accordance with
17 applicable law, the Secretary shall ensure access
18 to a covered area by members of an interested
19 Indian Tribe for traditional cultural and reli-
20 gious purposes.

21 (B) TEMPORARY CLOSURE.—

22 (i) IN GENERAL.—In carrying out
23 subparagraph (A), the Secretary, on re-
24 quest of an interested Indian Tribe, may
25 temporarily close to the general public the

1 use of 1 or more specific portions of a cov-
2 ered area to protect the privacy of cultural,
3 religious, and food, medicinal, and mate-
4 rials gathering activities by members of the
5 interested Indian Tribe.

6 (ii) REQUIREMENTS.—

7 (I) IN GENERAL.—Any closure
8 under clause (i) shall be made so as
9 to affect the smallest practicable area
10 for the minimum period of time nec-
11 essary.

12 (II) ACCESS.—Access by mem-
13 bers of an interested Indian Tribe to
14 a portion of a covered area closed
15 under clause (i) shall be consistent
16 with the purpose and intent of Public
17 Law 95–341 (commonly known as the
18 “American Indian Religious Freedom
19 Act”) (42 U.S.C. 1996 et seq.) and
20 other applicable law.

21 (c) FEDERALLY SECURED RIGHTS.—

22 (1) FEDERALLY SECURED RIGHTS.—Nothing in
23 this Act alters, modifies, enlarges, diminishes, or ab-
24 rogates rights secured by treaty, statute, Executive

1 order, or other Federal law of any interested Indian
2 Tribe, including off-reservation reserved rights.

3 (2) INDIAN LAND.—Nothing in this Act affects
4 any Indian land.

5 (3) LAND CLAIMS.—The designation of a cov-
6 ered area does not affect any legitimate land claims
7 to the covered area that were secured by treaty or
8 an Act of Congress.

9 (d) PLANT AND MINERAL GATHERING FOR CUL-
10 TURAL PURPOSES.—

11 (1) IN GENERAL.—Notwithstanding section 2.6
12 of title 36, Code of Federal Regulations (or a suc-
13 cessor regulation), the Secretary shall allow an en-
14 rolled member of any interested Indian Tribe that is
15 culturally affiliated with the land located within the
16 boundaries of a covered area or Bandelier National
17 Monument to collect plants, including parts or prod-
18 ucts of plants, and mineral resources within the ap-
19 plicable covered area or Bandelier National Monu-
20 ment for noncommercial traditional and cultural
21 uses.

22 (2) APPLICATION.—

23 (A) IN GENERAL.—Except as provided in
24 subparagraph (B), a collection activity under
25 paragraph (1) shall be—

1 (i) consistent with applicable laws;
2 and

3 (ii) subject to such conditions as the
4 Secretary determines to be necessary to
5 protect the resources and values of the ap-
6 plicable covered area or Bandelier National
7 Monument.

8 (B) QUANTITY LIMITATIONS.—

9 (i) EXISTING REGULATIONS.—No
10 quantity limitation contained in a regula-
11 tion of the National Park Service, Forest
12 Service, or Bureau of Land Management,
13 as applicable, in effect on the date of en-
14 actment of this Act shall apply to a collec-
15 tion activity under paragraph (1).

16 (ii) LIMITATIONS IMPOSED BY THE
17 SECRETARY.—The Secretary may limit the
18 quantity of plants, including parts or prod-
19 ucts of plants, and mineral resources col-
20 lected under paragraph (1) if the Secretary
21 determines that the limitation is necessary
22 to protect the resources and values of the
23 applicable covered area or Bandelier Na-
24 tional Monument.

1 **SEC. 303. EFFECT.**

2 (a) TREATY RIGHTS.—Nothing in this Act affects the
3 treaty rights of any Indian Tribe or land grant-merced.

4 (b) WATER RIGHTS.—

5 (1) IN GENERAL.—Nothing in this Act—

6 (A) constitutes an express or implied res-
7 ervation by the United States of water or water
8 rights for any purpose;

9 (B) modifies or otherwise affects any water
10 rights existing on the date of enactment of this
11 Act, including any water rights held by the
12 United States;

13 (C) affects an interstate water compact ex-
14 isting on the date of enactment of this Act; or

15 (D) imposes any mandatory streamflow re-
16 quirement or any Federal water quality stand-
17 ard within the covered land.

18 (2) STATE WATER LAW.—The Secretary shall
19 follow the procedural and substantive requirements
20 of applicable State law to obtain and hold any water
21 rights not in existence on the date of enactment of
22 this Act with respect to a covered area.

23 (c) DRINKING WATER INFRASTRUCTURE.—

24 (1) IN GENERAL.—Nothing in this Act affects
25 valid existing rights, including the existing rights-of-
26 way of Santa Fe County, the city of Santa Fe, or

1 the Buckman Direct Diversion Board in the State,
2 to conduct necessary repair, operations, mainte-
3 nance, replacement, or expansion of drinking water
4 supply infrastructure.

5 (2) NEW PERMITS OR RIGHTS-OF-WAY.—The
6 Secretary may grant to Santa Fe County or the city
7 of Santa Fe in the State new permits or rights-of-
8 way to build water supply infrastructure not more
9 than 1 mile from the historic settlement area com-
10 monly known as “Buckman” within the Special
11 Management Area.

12 (3) REQUIREMENT.—Any repair, operations,
13 maintenance, replacement, expansion, or new con-
14 struction of water supply infrastructure in a covered
15 area shall be conducted in a manner that is con-
16 sistent with the purposes of this Act.

17 (d) FISH AND WILDLIFE.—Nothing in this Act af-
18 fects the jurisdiction of the State with respect to fish and
19 wildlife located on public land in the State, except that
20 the Secretary, after consultation with the New Mexico De-
21 partment of Game and Fish, may designate zones where,
22 and establish periods during which, hunting shall not be
23 allowed within a covered area for reasons of public safety,
24 administration, or public use and enjoyment.

25 (e) NONDISCLOSURE.—

1 (1) IN GENERAL.—The Secretary shall not dis-
2 close to the public—

3 (A) information relating to the covered
4 area that is derived from Indigenous knowledge
5 that has not otherwise been released to the pub-
6 lic as of the date of enactment of this Act; or

7 (B) information relating to the nature or
8 location of any sacred site in a covered area, if
9 the Secretary determines, in consultation with
10 the interested Indian Tribe, that such a disclo-
11 sure may—

12 (i) risk harm to the cultural resources
13 of the sacred site;

14 (ii) cause a significant invasion of pri-
15 vacy; or

16 (iii) impede the use of the sacred site
17 for traditional cultural activities by an In-
18 dian Tribe or members of an Indian Tribe.

19 (2) FREEDOM OF INFORMATION ACT APPLICA-
20 BILITY.—

21 (A) IN GENERAL.—Information described
22 in paragraph (1) shall be exempt from disclo-
23 sure under section 552 of title 5, United States
24 Code.

1 (B) APPLICABILITY.—For purposes of sub-
2 paragraph (A), this subsection shall be consid-
3 ered a statute described in section 552(b)(3)(B)
4 of title 5, United States Code.

5 **TITLE IV—CAJA DEL RIO**
6 **WITHDRAWAL AREA**

7 **SEC. 401. WITHDRAWAL.**

8 Subject to any valid existing rights, the Federal land
9 and any interest in the Federal land depicted as “Caja
10 del Rio Withdrawal Area” on the Map is withdrawn
11 from—

12 (1) all forms of entry, appropriation, and dis-
13 posal under the public land laws;

14 (2) location, entry, and patent under the mining
15 laws; and

16 (3) operation of the mineral leasing, mineral
17 materials, and geothermal leasing laws.

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