

112TH CONGRESS
2D SESSION

S. 2468

To establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2012

Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, 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 “Columbine-Hondo Wilderness 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—ADDITION TO THE NATIONAL WILDERNESS
PRESERVATION SYSTEM

Sec. 101. Designation of the Columbine-Hondo Wilderness.

Sec. 102. Wheeler Peak Wilderness boundary modification.

Sec. 103. Authorization of appropriations.

TITLE II—LAND CONVEYANCES AND SALES.

Sec. 201. Town of Red River land conveyance.

Sec. 202. Village of Taos Ski Valley land conveyance.

Sec. 203. Authorization of sale of certain National Forest System land.

1 SEC. 2. DEFINITIONS.

2 In this Act:

3 (1) RED RIVER CONVEYANCE MAP.—The term
4 “Red River Conveyance Map” means the map enti-
5 tled “Town of Red River Town Site Act Proposal”
6 and dated April 19, 2012.

7 (2) SECRETARY.—The term “Secretary” means
8 the Secretary of Agriculture.

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

11 (4) TOWN.—The term “Town” means the town
12 of Red River, New Mexico.

13 (5) VILLAGE.—The term “Village” means the
14 village of Taos Ski Valley, New Mexico.

15 (6) WILDERNESS.—The term “Wilderness”
16 means the Columbine-Hondo Wilderness designated
17 by section 101(a).

18 (7) WILDERNESS MAP.—The term “Wilderness
19 Map” means the map entitled “Columbine-Hondo,

1 Wheeler Peak Wilderness” and dated April 19,
2 2012.

3 **TITLE I—ADDITION TO THE NA-**
4 **TIONAL WILDERNESS PRES-**
5 **ERVATION SYSTEM**

6 **SEC. 101. DESIGNATION OF THE COLUMBINE-HONDO WIL-**
7 **DERNESS.**

8 (a) IN GENERAL.—In accordance with the Wilderness
9 Act (16 U.S.C. 1131 et seq.), the approximately 45,000
10 acres of land in the Carson National Forest in the State,
11 as generally depicted on the Wilderness Map, is designated
12 as wilderness and as a component of the National Wilder-
13 ness Preservation System, which shall be known as the
14 “Columbine-Hondo Wilderness”.

15 (b) MANAGEMENT.—Subject to valid existing rights,
16 the Wilderness shall be administered by the Secretary in
17 accordance with this Act and the Wilderness Act (16
18 U.S.C. 1131 et seq.), except that any reference in that
19 Act to the effective date of that Act shall be considered
20 to be a reference to the date of enactment of this Act.

21 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
22 ESTS IN LAND.—Any land or interest in land that is with-
23 in the boundary of the Wilderness that is acquired by the
24 United States shall—

25 (1) become part of the Wilderness; and

1 (2) be managed in accordance with—

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

4 (B) this section; and

5 (C) any other applicable laws.

6 (d) GRAZING.—Grazing of livestock in the Wilder-
7 ness, where established before the date of enactment of
8 this Act, shall be administered in accordance with—

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

11 (2) the guidelines set forth in the report of the
12 Committee on Interior and Insular Affairs of the
13 House of Representatives accompanying H.R. 5487
14 of the 96th Congress (H. Rept. 96–617).

15 (e) COLUMBINE-HONDO WILDERNESS STUDY
16 AREA.—

17 (1) FINDING.—Congress finds that, for pur-
18 poses of section 103(a)(2) of Public Law 96–550
19 (16 U.S.C. 1132 note; 94 Stat. 3223), any Federal
20 land in the Columbine-Hondo Wilderness Study
21 Area administered by the Forest Service that is not
22 designated as wilderness by subsection (a) has been
23 adequately reviewed for wilderness designation.

24 (2) APPLICABILITY.—The Federal land de-
25 scribed in paragraph (1) is no longer subject to sub-

1 sections (a)(2) and (b) of section 103 of Public Law
2 96–550 (16 U.S.C. 1132 note; 94 Stat. 3223).

3 (f) MAPS AND LEGAL DESCRIPTIONS.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary
6 shall prepare maps and legal descriptions of the Wil-
7 derness.

8 (2) FORCE OF LAW.—The maps and legal de-
9 scriptions prepared under paragraph (1) shall have
10 the same force and effect as if included in this Act,
11 except that the Secretary may correct errors in the
12 maps and legal descriptions.

13 (3) PUBLIC AVAILABILITY.—The maps and
14 legal descriptions prepared under paragraph (1)
15 shall be on file and available for public inspection in
16 the appropriate offices of the Forest Service.

17 (g) 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 in
22 which, and establish periods during which, hunting or fish-
23 ing shall not be allowed for reasons of public safety, ad-
24 ministration, the protection for nongame species and asso-
25 ciated habitats, or public use and enjoyment.

1 (h) WITHDRAWALS.—Subject to valid existing rights,
 2 the Federal land described in subsections (a) and (e)(1)
 3 and any land or interest in land that is acquired by the
 4 United States in the Wilderness after the date of enact-
 5 ment of this Act is withdrawn from—

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

8 (2) location, entry, and patent under the mining
 9 laws; and

10 (3) operation of the mineral leasing, mineral
 11 materials, and geothermal leasing laws.

12 **SEC. 102. WHEELER PEAK WILDERNESS BOUNDARY MODI-**
 13 **FICATION.**

14 (a) IN GENERAL.—The boundary of the Wheeler
 15 Peak Wilderness in the State is modified as generally de-
 16 picted in the Wilderness Map.

17 (b) WITHDRAWAL.—Subject to valid existing rights,
 18 any Federal land added to or excluded from the boundary
 19 of the Wheeler Peak Wilderness under subsection (a) is
 20 withdrawn from—

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

23 (2) location, entry, and patent under the mining
 24 laws; and

1 (3) operation of the mineral leasing, mineral
2 materials, and geothermal leasing laws.

3 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated such sums
5 as are necessary to carry out this title.

6 **TITLE II—LAND CONVEYANCES**
7 **AND SALES.**

8 **SEC. 201. TOWN OF RED RIVER LAND CONVEYANCE.**

9 (a) IN GENERAL.—Subject to the provisions of this
10 section, the Secretary shall convey to the Town, without
11 consideration and by quitclaim deed, all right, title, and
12 interest of the United States in and to the 1 or more par-
13 cels of Federal land described in subsection (b) for which
14 the Town submits a request to the Secretary by the date
15 that is not later than 1 year after the date of enactment
16 of this Act.

17 (b) DESCRIPTION OF LAND.—The parcels of Federal
18 land referred to in subsection (a) are the parcels of Na-
19 tional Forest System land (including any improvements to
20 the land) in Taos County, New Mexico, that are identified
21 as “Parcel 1”, “Parcel 2”, “Parcel 3”, and “Parcel 4”
22 on the Red River Conveyance Map.

23 (c) CONDITIONS.—The conveyance under subsection
24 (a) shall be subject to—

25 (1) valid existing rights;

1 (2) public rights-of-way through “Parcel 1”,
2 “Parcel 3”, and “Parcel 4”;

3 (3) an administrative right-of-way through
4 “Parcel 2” reserved to the United States; and

5 (4) such additional terms and conditions as the
6 Secretary may require.

7 (d) USE OF LAND.—As a condition of the conveyance
8 under subsection (a), the Town shall use—

9 (1) “Parcel 1” for a wastewater treatment
10 plant;

11 (2) “Parcel 2” for a cemetery;

12 (3) “Parcel “3” for a public park; and

13 (4) “Parcel 4” for a public road.

14 (e) REVERSION.—In the quitclaim deed to the Town
15 under subsection (a), the Secretary shall provide that any
16 parcel of Federal land conveyed to the Town under sub-
17 section (a) shall revert to the Secretary, at the election
18 of the Secretary, if the parcel of Federal land is used for
19 a purpose other than the purpose for which the parcel was
20 conveyed, as required under subsection (d).

21 (f) SURVEY; ADMINISTRATIVE COSTS.—

22 (1) SURVEY.—The exact acreage and legal de-
23 scription of the National Forest System land con-
24 veyed under subsection (a) shall be determined by a
25 survey approved by the Secretary.

1 (2) COSTS.—The Town shall pay the reasonable
 2 survey and other administrative costs associated
 3 with the conveyance.

4 **SEC. 202. VILLAGE OF TAOS SKI VALLEY LAND CONVEY-**
 5 **ANCE.**

6 (a) IN GENERAL.—Subject to the provisions of this
 7 section, the Secretary shall convey to the Village, without
 8 consideration and by quitclaim deed, all right, title, and
 9 interest of the United States in and to the parcel of Fed-
 10 eral land described in subsection (b) for which the Village
 11 submits a request to the Secretary by the date that is not
 12 later than 1 year after the date of enactment of this Act.

13 (b) DESCRIPTION OF LAND.—The parcel of Federal
 14 land referred to in subsection (a) is the parcel comprising
 15 approximately 4.6 acres of National Forest System land
 16 (including any improvements to the land) in Taos County
 17 generally depicted as “Parcel 1” on the map entitled “Vil-
 18 lage of Taos Ski Valley Town Site Act Proposal” and
 19 dated April 19, 2012.

20 (c) CONDITIONS.—The conveyance under subsection
 21 (a) shall be subject to—

22 (1) valid existing rights;

23 (2) an administrative right-of-way through the
 24 parcel of Federal land described in subsection (b) re-
 25 served to the United States; and

1 (3) such additional terms and conditions as the
2 Secretary may require.

3 (d) USE OF LAND.—As a condition of the conveyance
4 under subsection (a), the Village shall use the parcel of
5 Federal land described in subsection (b) for a wastewater
6 treatment plant.

7 (e) REVERSION.—In the quitclaim deed to the Vil-
8 lage, the Secretary shall provide that the parcel of Federal
9 land conveyed to the Village under subsection (a) shall re-
10 vert to the Secretary, at the election of the Secretary, if
11 the parcel of Federal land is used for a purpose other than
12 the purpose for which the parcel was conveyed, as de-
13 scribed in subsection (d).

14 (f) SURVEY; ADMINISTRATIVE COSTS.—

15 (1) SURVEY.—The exact acreage and legal de-
16 scription of the National Forest System land con-
17 veyed under subsection (a) shall be determined by a
18 survey approved by the Secretary.

19 (2) COSTS.—The Village shall pay the reason-
20 able survey and other administrative costs associated
21 with the conveyance.

22 **SEC. 203. AUTHORIZATION OF SALE OF CERTAIN NATIONAL**
23 **FOREST SYSTEM LAND.**

24 (a) IN GENERAL.—Subject to the provisions of this
25 section and in exchange for consideration in an amount

1 that is equal to the fair market value of the applicable
2 parcel of National Forest System land, the Secretary may
3 convey—

4 (1) to the holder of the permit numbered
5 “QUE302101” for use of the parcel, the parcel of
6 National Forest System land comprising approxi-
7 mately 0.2 acres that is generally depicted as “Par-
8 cel 5” on the Red River Conveyance Map; and

9 (2) to the owner of the private property adja-
10 cent to the parcel, the parcel of National Forest Sys-
11 tem land comprising approximately 0.1 acres that is
12 generally depicted as “Parcel 6” on the Red River
13 Conveyance Map.

14 (b) DISPOSITION OF PROCEEDS.—Any amounts re-
15 ceived by the Secretary as consideration for a conveyance
16 under subsection (a) shall be—

17 (1) deposited in the fund established under
18 Public Law 90–171 (commonly known as the “Sisk
19 Act”) (16 U.S.C. 484a); and

20 (2) available to the Secretary, without further
21 appropriation and until expended, for the acquisition
22 of land or interests in land in the Carson National
23 Forest.

24 (c) CONDITIONS.—The conveyance under subsection
25 (a) shall be subject to—

1 (1) valid existing rights; and

2 (2) such additional terms and conditions as the
3 Secretary may require.

4 (d) SURVEY; ADMINISTRATIVE COSTS.—

5 (1) SURVEY.—The exact acreage and legal de-
6 scription of the National Forest System land con-
7 veyed under subsection (a) shall be determined by a
8 survey approved by the Secretary.

9 (2) COSTS.—The reasonable survey and other
10 administrative costs associated with the conveyance
11 shall be paid by the holder of the permit or the
12 owner of the private property, as applicable.

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