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113TH CONGRESS
1ST SESSION

S. 776

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 22, 2013

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

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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.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Columbine-Hondo Wilderness Act''.

(b) TABLE OF CONTENTS.—The table of contents for 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.

SEC. 2. DEFINITIONS.

In this Act:

(1) RED RIVER CONVEYANCE MAP.—The term ''Red River Conveyance Map'' means the map entitled ''Town of Red River Town Site Act Proposal'' and dated April 19, 2012.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) STATE.—The term ''State'' means the State of New Mexico.

(4) TOWN.—The term ''Town'' means the town of Red River, New Mexico.

(5) VILLAGE.—The term ''Village'' means the village of Taos Ski Valley, New Mexico.

(6) WILDERNESS.—The term ''Wilderness'' means the Columbine-Hondo Wilderness designated by section 101(a).

(7) WILDERNESS MAP.—The term ''Wilderness Map'' means the map entitled ''Columbine-Hondo,

Wheeler Peak Wilderness'' and dated April 25, 2012.

TITLE I—ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 101. DESIGNATION OF THE COLUMBINE-HONDO WILDERNESS.

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

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

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

(1) become part of the Wilderness; and

(2) be managed in accordance with—

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

(B) this section; and

(C) any other applicable laws.

(d) GRAZING.—Grazing of livestock in the Wilderness, where established before the date of enactment of this Act, shall be administered 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 the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(e) COLUMBINE-HONDO WILDERNESS STUDY AREA.—

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

(2) APPLICABILITY.—The Federal land described in paragraph (1) is no longer subject to sub-

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

(f) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the Wilderness.

(2) FORCE OF LAW.—The maps and legal descriptions prepared 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 maps and legal descriptions.

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

(g) 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 in which, and establish periods during which, hunting or fishing shall not be allowed for reasons of public safety, administration, the protection for nongame species and associated habitats, or public use and enjoyment.

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

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

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

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

SEC. 102. WHEELER PEAK WILDERNESS BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Wheeler Peak Wilderness in the State is modified as generally depicted in the Wilderness Map.

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

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

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

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

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

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

TITLE II—LAND CONVEYANCES AND SALES

SEC. 201. TOWN OF RED RIVER LAND CONVEYANCE.

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

(b) DESCRIPTION OF LAND.—The parcels of Federal land referred to in subsection (a) are the parcels of National Forest System land (including any improvements to the land) in Taos County, New Mexico, that are identified as ''Parcel 1'', ''Parcel 2'', ''Parcel 3'', and ''Parcel 4'' on the Red River Conveyance Map.

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

(1) valid existing rights;

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

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

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

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

(1) ''Parcel 1'' for a wastewater treatment plant;

(2) ''Parcel 2'' for a cemetery;

(3) ''Parcel 3'' for a public park; and

(4) ''Parcel 4'' for a public road.

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

(f) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

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

SEC. 202. VILLAGE OF TAOS SKI VALLEY LAND CONVEYANCE.

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

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

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

(1) valid existing rights;

(2) an administrative right-of-way through the parcel of Federal land described in subsection (b) reserved to the United States; and

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

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

(e) REVERSION.—In the quitclaim deed to the Village, the Secretary shall provide that the parcel of Federal land conveyed to the Village under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as described in subsection (d).

(f) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

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

SEC. 203. AUTHORIZATION OF SALE OF CERTAIN NATIONAL FOREST SYSTEM LAND.

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

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

(1) to the holder of the permit numbered ''QUE302101'' for use of the parcel, the parcel of National Forest System land comprising approximately 0.2 acres that is generally depicted as ''Parcel 5'' on the Red River Conveyance Map; and

(2) to the owner of the private property adjacent to the parcel, the parcel of National Forest System land comprising approximately 0.1 acres that is generally depicted as ''Parcel 6'' on the Red River Conveyance Map.

(b) DISPOSITION OF PROCEEDS.—Any amounts received by the Secretary as consideration for a conveyance under subsection (a) shall be—

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

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

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

(1) valid existing rights; and

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

(d) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

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

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