

103^D CONGRESS
2^D SESSION

S. 313

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1994

Referred to the Committee on Natural Resources

AN ACT

To amend the San Juan Basin Wilderness Protection Act of 1984 to designate additional lands as wilderness and to establish the Fossil Forest Research Natural Area, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bisti/De-Na-Zin
3 Wilderness Expansion and Fossil Forest Protection Act”.

4 **SEC. 2. BISTI/DE-NA-ZIN WILDERNESS.**

5 (a) WILDERNESS DESIGNATION.—Section 102 of the
6 San Juan Basin Wilderness Protection Act of 1984 (Pub-
7 lic Law 98–603) is amended—

8 (1) in subsection (a)—

9 (A) by striking “wilderness, and, there-
10 fore,” and all that follows through “System—
11 ” and inserting “wilderness areas, and as one
12 component of the National Wilderness Preser-
13 vation System, to be known as the ‘Bisti/De-
14 Na-Zin Wilderness’—”;

15 (B) in paragraph (1), by striking “, and
16 which shall be known as the Bisti Wilderness;
17 and” and inserting a semicolon;

18 (C) in paragraph (2), by striking “, and
19 which shall be known as the De-na-zin Wilder-
20 ness.” and inserting “; and”; and

21 (D) by adding at the end the following new
22 paragraph:

23 “(3) certain lands in the Farmington District of
24 the Bureau of Land Management, New Mexico,
25 which comprise approximately 16,674 acres, as gen-
26 erally depicted on a map entitled ‘Bisti/De-Na-Zin

1 Wilderness Amendment Proposal', dated May
2 1992.'";

3 (2) in the first sentence of subsection (c), by in-
4 serting after "of this Act" the following: "with re-
5 gard to the areas described in paragraphs (1) and
6 (2) of subsection (a), and as soon as practicable
7 after the date of enactment of subsection (a)(3) with
8 regard to the area described in subsection (a)(3)";

9 (3) in subsection (d), by inserting after "of this
10 Act" the following: "with regard to the areas de-
11 scribed in paragraphs (1) and (2) of subsection (a),
12 and where established prior to the date of enactment
13 of subsection (a)(3) with regard to the area de-
14 scribed in subsection (a)(3)"; and

15 (4) by adding at the end the following new sub-
16 section:

17 "(e)(1) Subject to valid existing rights, the lands de-
18 scribed in subsection (a)(3) are withdrawn from all forms
19 of appropriation under the mining laws and from disposi-
20 tion under all laws pertaining to mineral leasing, geo-
21 thermal leasing, and mineral material sales.

22 "(2) The Secretary of the Interior is authorized to
23 issue coal leases in New Mexico in exchange for any pref-
24 erence right coal lease application within the area de-
25 scribed in section 2(a)(3). Such exchanges shall be made

1 in accordance with applicable existing laws and regulations
2 relating to coal leases after a determination has been made
3 by the Secretary that the applicant is entitled to a pref-
4 erence right lease and that the exchange is in the public
5 interest.

6 “(3) Operations on oil and gas leases issued prior to
7 the date of enactment of subsection (a)(3) shall be subject
8 to the applicable provisions of Group 3100 of title 43,
9 Code of Federal Regulations (including section 3162.5–
10 1), and such other terms, stipulations, and conditions as
11 the Secretary of the Interior considers necessary to avoid
12 significant disturbance of the land surface or impairment
13 of the ecological, educational, scientific, recreational, sce-
14 nic, and other wilderness values of the lands described in
15 subsection (a)(3) in existence on the date of enactment
16 of subsection (a)(3).”.

17 (b) EXCHANGES FOR STATE LANDS.—Section 104 of
18 the Act is amended—

19 (1) in the first sentence of subsection (b), by in-
20 serting after “of this Act” the following: “with re-
21 gard to the areas described in paragraphs (1) and
22 (2) of subsection (a), and not later than 120 days
23 after the date of enactment of subsection (a)(3) with
24 regard to the area described in subsection (a)(3)”;

1 (2) in subsection (c), by inserting before the pe-
2 riod the following: “with regard to the areas de-
3 scribed in paragraphs (1) and (2) of subsection (a),
4 and as of the date of enactment of subsection (a)(3)
5 with regard to the area described in subsection
6 (a)(3)”; and

7 (3) in the last sentence of subsection (d), by in-
8 serting before the period the following: “with regard
9 to the areas described in paragraphs (1) and (2) of
10 subsection (a), and not later than 2 years after the
11 date of enactment of subsection (a)(3) with regard
12 to the area described in subsection (a)(3)”.

13 (c) EXCHANGES FOR INDIAN LANDS.—Section 105
14 of the Act is amended by adding at the end the following
15 new subsection:

16 “(d)(1) The Secretary of the Interior shall exchange
17 any lands held in trust for the Navajo Tribe by the Bureau
18 of Indian Affairs that are within the boundary of the area
19 described in subsection (a)(3).

20 “(2) The lands shall be exchanged for lands within
21 New Mexico approximately equal in value that are selected
22 by the Navajo Tribe.

23 “(3) After the exchange, the lands selected by the
24 Navajo Tribe shall be held in trust by the Secretary of

1 the Interior in the same manner as the lands described
2 in paragraph (1).”.

3 **SEC. 3. FOSSIL FOREST RESEARCH NATURAL AREA.**

4 Section 103 of the San Juan Basin Wilderness Pro-
5 tection Act of 1984 (Public Law 98–603) is amended to
6 read as follows:

7 **“SEC. 103. FOSSIL FOREST RESEARCH NATURAL AREA.**

8 “(a) ESTABLISHMENT.—To conserve and protect
9 natural values and to provide scientific knowledge, edu-
10 cation, and interpretation for the benefit of future genera-
11 tions, there is established the Fossil Forest Research Nat-
12 ural Area (referred to in this section as the ‘Area’), con-
13 sisting of the approximately 2,770 acres in the Farming-
14 ton District of the Bureau of Land Management, New
15 Mexico, as generally depicted on a map entitled ‘Fossil
16 Forest’, dated June 1983.

17 “(b) MAP AND LEGAL DESCRIPTION.—

18 “(1) IN GENERAL.—As soon as practicable
19 after the date of enactment of this paragraph, the
20 Secretary of the Interior shall file a map and legal
21 description of the Area with the Committee on En-
22 ergy and Natural Resources of the Senate and the
23 Committee on Natural Resources of the House of
24 Representatives.

1 “(2) FORCE AND EFFECT.—The map and legal
2 description described in paragraph (1) shall have the
3 same force and effect as if included in this Act.

4 “(3) TECHNICAL CORRECTIONS.—The Sec-
5 retary of the Interior may correct clerical, typo-
6 graphical, and cartographical errors in the map and
7 legal description subsequent to filing the map pursu-
8 ant to paragraph (1).

9 “(4) PUBLIC INSPECTION.—The map and legal
10 description shall be on file and available for public
11 inspection in the Office of the Director of the Bu-
12 reau of Land Management, Department of the Inte-
13 rior.

14 “(c) MANAGEMENT.—

15 “(1) IN GENERAL.—The Secretary of the Inte-
16 rior, acting through the Director of the Bureau of
17 Land Management, shall manage the Area—

18 “(A) to protect the resources within the
19 Area; and

20 “(B) in accordance with—

21 “(i) this Act;

22 “(ii) the Federal Land Policy and
23 Management Act of 1976 (43 U.S.C. 1701
24 et seq.); and

1 “(iii) other applicable provisions of
2 law.

3 “(2) MINING.—

4 “(A) WITHDRAWAL.—Subject to valid ex-
5 isting rights, the lands within the Area are
6 withdrawn from all forms of appropriation
7 under the mining laws and from disposition
8 under all laws pertaining to mineral leasing,
9 geothermal leasing, and mineral material sales.

10 “(B) COAL PREFERENCE RIGHTS.—The
11 Secretary of the Interior is authorized to issue
12 coal leases in New Mexico in exchange for any
13 preference right coal lease application within
14 the Area. Such exchanges shall be made in ac-
15 cordance with applicable existing laws and regu-
16 lations relating to coal leases after a determina-
17 tion has been made by the Secretary that the
18 applicant is entitled to a preference right lease
19 and that the exchange is in the public interest.

20 “(C) OIL AND GAS LEASES.—Operations
21 on oil and gas leases issued prior to the date of
22 enactment of this paragraph shall be subject to
23 the applicable provisions of Group 3100 of title
24 43, Code of Federal Regulations (including sec-
25 tion 3162.5-1), and such other terms, stipula-

1 tions, and conditions as the Secretary of the In-
2 terior considers necessary to avoid significant
3 disturbance of the land surface or impairment
4 of the natural, educational, and scientific re-
5 search values of the Area in existence on the
6 date of enactment of this paragraph.

7 “(3) GRAZING.—Livestock grazing on lands
8 within the Area may not be permitted.

9 “(d) INVENTORY.—Not later than 3 full fiscal years
10 after the date of enactment of this subsection, the Sec-
11 retary of the Interior, acting through the Director of the
12 Bureau of Land Management, shall develop a baseline in-
13 ventory of all categories of fossil resources within the
14 Area. After the inventory is developed, the Secretary shall
15 conduct monitoring surveys at intervals specified in the
16 management plan developed for the Area in accordance
17 with subsection (e).

18 “(e) MANAGEMENT PLAN.—

19 “(1) IN GENERAL.—Not later than 5 years
20 after the date of enactment of this Act, the Sec-
21 retary of the Interior shall develop and submit to the
22 Committee on Energy and Natural Resources of the
23 Senate and the Committee on Natural Resources of
24 the House of Representatives a management plan

1 that describes the appropriate uses of the Area con-
2 sistent with this Act.

3 “(2) CONTENTS.—The management plan shall
4 include—

5 “(A) a plan for the implementation of a
6 continuing cooperative program with other
7 agencies and groups for—

8 “(i) laboratory and field interpreta-
9 tion; and

10 “(ii) public education about the re-
11 sources and values of the Area (including
12 vertebrate fossils);

13 “(B) provisions for vehicle management
14 that are consistent with the purpose of the Area
15 and that provide for the use of vehicles to the
16 minimum extent necessary to accomplish an in-
17 dividual scientific project;

18 “(C) procedures for the excavation and col-
19 lection of fossil remains, including botanical fos-
20 sils, and the use of motorized and mechanical
21 equipment to the minimum extent necessary to
22 accomplish an individual scientific project; and

1 “(D) mitigation and reclamation standards
2 for activities that disturb the surface to the det-
3 riment of scenic and environmental values.”.

Passed the Senate March 8 (legislative day, February 22), 1994.

Attest: WALTER J. STEWART,
Secretary.