

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1170

To establish the Fort Stanton-Snowy River National Cave Conservation Area.

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IN THE SENATE OF THE UNITED STATES

JUNE 6, 2005

Mr. DOMENICI (for himself and Mr. BINGAMAN) introduced the following bill;  
which was read twice and referred to the Committee on Energy and Nat-  
ural Resources

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## A BILL

To establish the Fort Stanton-Snowy River National Cave  
Conservation Area.

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 “Fort Stanton-Snowy  
5 River National Cave Conservation Area Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CONSERVATION AREA.—The term “Con-  
9 servation Area” means the Fort Stanton-Snowy

1 River National Cave Conservation Area established  
2 by section 3(a).

3 (2) MANAGEMENT PLAN.—The term “manage-  
4 ment plan” means the management plan developed  
5 for the Conservation Area under section 4(c).

6 (3) SECRETARY.—The term “Secretary” means  
7 the Secretary of the Interior, acting through the Di-  
8 rector of the Bureau of Land Management.

9 **SEC. 3. ESTABLISHMENT OF FORT STANTON-SNOWY RIVER**  
10 **NATIONAL CAVE CONSERVATION AREA.**

11 (a) IN GENERAL.—There is established the Fort  
12 Stanton-Snowy River National Cave Conservation Area in  
13 Lincoln County, New Mexico, to secure, protect, and con-  
14 serve subterranean natural and unique features and envi-  
15 rons for scientific, educational, and other appropriate pub-  
16 lic uses.

17 (b) BOUNDARIES.—The Conservation Area shall in-  
18 clude—

19 (1) the minimum subsurface area necessary to  
20 provide for the Fort Stanton Cave, including the  
21 Snowy River passage in its entirety (which may in-  
22 clude other significant caves); and

23 (2) the minimum surface acreage, as deter-  
24 mined by the Secretary, that is necessary to provide  
25 access to the cave entrance.

1 (c) MAP AND LEGAL DESCRIPTION.—

2 (1) IN GENERAL.—As soon as practicable after  
3 the date of enactment of this Act, the Secretary  
4 shall prepare a map and legal description of the  
5 Conservation Area.

6 (2) EFFECT.—The map and legal description of  
7 the Conservation Area shall have the same force and  
8 effect as if included in this Act, except that the Sec-  
9 retary may correct any minor errors in the map and  
10 legal description.

11 (3) PUBLIC AVAILABILITY.—The map and legal  
12 description of the Conservation Area shall be avail-  
13 able for public inspection in the appropriate offices  
14 of the Bureau of Land Management.

15 **SEC. 4. ADMINISTRATION OF CONSERVATION AREA.**

16 (a) IN GENERAL.—The Secretary shall administer  
17 the Conservation Area—

18 (1) in accordance with the laws (including regu-  
19 lations) applicable to public land and the manage-  
20 ment plan required by this Act; and

21 (2) in a manner that provides for—

22 (A) the conservation and protection of the  
23 natural and unique features and environs for  
24 scientific, educational, and other appropriate  
25 public uses of the Conservation Area;

1 (B) public access, as appropriate, while  
2 providing for the protection of the cave re-  
3 sources and for public safety;

4 (C) the continuation of other existing uses  
5 and new uses of the Conservation Area that do  
6 not substantially impair the purposes for which  
7 the Conservation Area is established;

8 (D) the protection of new caves within the  
9 Conservation Area, such as the Snowy River  
10 passage within Fort Stanton Cave;

11 (E) the continuation of such uses on the  
12 surface acreage as exist under management ac-  
13 tion in place prior to designation of the Con-  
14 servation Area by this Act; and

15 (F) scientific investigation and research  
16 opportunities within the Conservation Area, in-  
17 cluding through partnerships with colleges, uni-  
18 versities, schools, scientific institutions, re-  
19 searchers, and scientists to conduct research  
20 and provide educational and interpretive serv-  
21 ices within the Conservation Area.

22 (b) WITHDRAWALS.—Subject to valid existing rights,  
23 all Federal surface and subsurface land within the Con-  
24 servation Area and all land and interests in the surface  
25 and subsurface land that are acquired by the United

1 States after the date of enactment of this Act for inclusion  
2 in the Conservation Area, are withdrawn from—

3 (1) all forms of entry, appropriation, or disposal  
4 under the general land laws;

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

7 (3) operation under the mineral leasing and  
8 geothermal leasing laws.

9 (c) MANAGEMENT PLAN.—

10 (1) IN GENERAL.—Not later than 2 years after  
11 the date of enactment of this Act, the Secretary  
12 shall develop a comprehensive plan for the long-term  
13 management of the Conservation Area.

14 (2) PURPOSES.—The management plan shall—

15 (A) describe the appropriate uses and  
16 management of the Conservation Area;

17 (B) incorporate, as appropriate, decisions  
18 contained in any other management or activity  
19 plan for the land within or adjacent to the Con-  
20 servation Area;

21 (C) take into consideration any informa-  
22 tion developed in studies of the land and re-  
23 sources within or adjacent to the Conservation  
24 Area; and

1 (D) engage in a cooperative agreement  
 2 with Lincoln County, New Mexico, to address  
 3 the historical involvement of the local commu-  
 4 nity in the interpretation and protection of the  
 5 resources of the Conservation Area.

6 (d) ACTIVITIES OUTSIDE CONSERVATION AREA.—

7 (1) IN GENERAL.—The fact that an activity or  
 8 use is not permitted inside the Conservation Area  
 9 shall not preclude—

10 (A) the conduct of the activity on land, or  
 11 the use of land for the activity, outside the  
 12 boundary of the Conservation Area, consistent  
 13 with other applicable laws (including regula-  
 14 tions); or

15 (B) any activity or use, including new uses,  
 16 on the surface land above the Conservation  
 17 Area or on any land appurtenant to that sur-  
 18 face land.

19 (2) MANAGEMENT.—The surface land described  
 20 in paragraph (1)(B) shall continue to be managed  
 21 for multiple uses in accordance with all applicable  
 22 laws (including regulations).

23 (e) RESEARCH AND INTERPRETIVE FACILITIES.—

24 (1) IN GENERAL.—The Secretary may establish  
 25 facilities for—

1 (A) the conduct of scientific research; and

2 (B) the interpretation of the historical, cul-  
3 tural, scientific, archaeological, natural, and  
4 educational resources of the Conservation Area.

5 (2) COOPERATIVE AGREEMENTS.—The Sec-  
6 retary may enter into cooperative agreements with  
7 the State of New Mexico and other institutions and  
8 organizations to carry out the purposes of this Act.

9 (f) WATER RIGHTS.—Nothing in this Act constitutes  
10 an express or implied reservation of any water right.

11 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated such sums  
13 as are necessary to carry out this Act.

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