

Calendar No. 1020

110TH CONGRESS
2D SESSION**H. R. 2632**

 IN THE SENATE OF THE UNITED STATES

JUNE 10, 2008

Received; read twice and referred to the Committee on Energy and Natural
Resources

SEPTEMBER 16, 2008

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To establish the Sabinoso Wilderness Area in San Miguel
County, 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.**

4 This Act may be cited as the “Sabinoso Wilderness
5 Act of 2008”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ~~STATE.~~—The term “State” means the State
9 of New Mexico.

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 **SEC. 3. DESIGNATION OF THE SABINOSO WILDERNESS.**

4 (a) IN GENERAL.—In furtherance of the purposes of
5 the Wilderness Act (16 U.S.C. 1131 et seq.), there is here-
6 by designated as wilderness, and, therefore, as a compo-
7 nent of the National Wilderness Preservation System, the
8 approximately 15,995 acres of land under the jurisdiction
9 of the Taos Field Office Bureau of Land Management,
10 New Mexico, as generally depicted on the map titled
11 “Sabinoso Wilderness” and dated May 7, 2008, and which
12 shall be known as the “Sabinoso Wilderness”.

13 (b) MAP AND LEGAL DESCRIPTION.—The map and
14 a legal description of the wilderness area designated by
15 this Act shall—

16 (1) be filed by the Secretary with the Com-
17 mittee on Natural Resources of the House of Rep-
18 resentatives and the Committee on Energy and Nat-
19 ural Resources of the Senate as soon as practicable
20 after the date of the enactment of this Act;

21 (2) have the same force and effect as if in-
22 cluded in this Act, except that the Secretary may
23 correct clerical and typographical errors in the legal
24 description and map; and

1 (3) be on file and available for public inspection
2 in the appropriate offices of the Bureau of Land
3 Management.

4 (c) MANAGEMENT OF WILDERNESS.—Subject to
5 valid existing rights, the wilderness areas designated by
6 this Act shall be administered in accordance with the Wil-
7 derness Act (16 U.S.C. 1131 et seq.) and this Act, except
8 that with respect to the wilderness areas designated by
9 this Act, any reference to the effective date of the Wilder-
10 ness Act shall be deemed to be a reference to the date
11 of enactment of this Act and any reference in the Wilder-
12 ness Act to the Secretary of Agriculture shall be consid-
13 ered to be a reference to the Secretary of the Interior.

14 (d) INCORPORATION OF ACQUIRED LAND.—Any land
15 or interest in land located inside the boundaries of the wil-
16 derness area designated by this Act that is acquired by
17 the United States after the date of enactment of this Act
18 shall become part of the wilderness area designated by this
19 Act and shall be managed in accordance with this Act and
20 other applicable law.

21 (e) GRAZING.—Grazing of livestock in the wilderness
22 area designated by this Act, where established before the
23 date of enactment of this Act, shall be administered in
24 accordance with the provisions of section 4(d)(4) of the
25 Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines

1 set forth in Appendix A of the Report of the Committee
2 on Interior and Insular Affairs to accompany H.R. 2570
3 of the 101st Congress (H. Rept. 101-405).

4 (f) FISH AND WILDLIFE.—As provided in section
5 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
6 nothing in this section shall be construed as affecting the
7 jurisdiction or responsibilities of the State with respect to
8 fish and wildlife in the State, including the regulation of
9 hunting, fishing, and trapping, in the wilderness area des-
10 ignated by this Act.

11 (g) WITHDRAWAL.—Subject to valid existing rights,
12 the wilderness area designated by this Act, is withdrawn
13 from—

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

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

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

20 (h) ACCESS.—

21 (1) Consistent with section 5(a) of the Wilder-
22 ness Act (16 U.S.C.1131 et seq.), the Secretary
23 shall continue to allow private landowners adequate
24 access to inholdings in the Sabinoso Wilderness.

1 (2) For access purposes, private lands within T.
2 16 N., R. 23 E. Sections 17, 20 and the north half
3 of Section 21, N.M.M. shall be managed as if an
4 inholding in the Sabinoso Wilderness.

5 **SECTION 1. SHORT TITLE.**

6 *This Act may be cited as the “Sabinoso Wilderness Act*
7 *of 2008”.*

8 **SEC. 2. DEFINITIONS.**

9 *In this Act:*

10 (1) *MAP.*—*The term “map” means the map enti-*
11 *tled “Sabinoso Wilderness” and dated September 8,*
12 *2008.*

13 (2) *SECRETARY.*—*The term “Secretary” means*
14 *the Secretary of the Interior.*

15 (3) *STATE.*—*The term “State” means the State*
16 *of New Mexico.*

17 **SEC. 3. DESIGNATION OF THE SABINOSO WILDERNESS.**

18 (a) *IN GENERAL.*—*In furtherance of the purposes of*
19 *the Wilderness Act (16 U.S.C. 1131 et seq.), the approxi-*
20 *mately 16,030 acres of land under the jurisdiction of the*
21 *Taos Field Office Bureau of Land Management, New Mex-*
22 *ico, as generally depicted on the map, is designated as wil-*
23 *derness and as a component of the National Wilderness*
24 *Preservation System, to be known as the “Sabinoso Wilder-*
25 *ness”.*

1 **(b) MAP AND LEGAL DESCRIPTION.**—

2 **(1) IN GENERAL.**—*As soon as practicable after*
3 *the date of enactment of this Act, the Secretary shall*
4 *file a map and a legal description of the Sabinoso*
5 *Wilderness with—*

6 **(A)** *the Committee on Energy and Natural*
7 *Resources of the Senate; and*

8 **(B)** *the Committee on Natural Resources of*
9 *the House of Representatives.*

10 **(2) FORCE OF LAW.**—*The map and legal descrip-*
11 *tion filed under paragraph (1) shall have the same*
12 *force and effect as if included in this Act, except that*
13 *the Secretary may correct any clerical and typo-*
14 *graphical errors in the map and legal description.*

15 **(3) PUBLIC AVAILABILITY.**—*The map and legal*
16 *description filed under paragraph (1) shall be on file*
17 *and available for public inspection in the appropriate*
18 *offices of the Bureau of Land Management.*

19 **(c) ADMINISTRATION OF WILDERNESS.**—

20 **(1) IN GENERAL.**—*Subject to valid existing*
21 *rights, the Sabinoso Wilderness shall be administered*
22 *by the Secretary in accordance with this Act and the*
23 *Wilderness Act (16 U.S.C. 1131 et seq.), except that—*

24 **(A)** *any reference in the Wilderness Act to*
25 *the effective date of that Act shall be considered*

1 to be a reference to the date of enactment of this
2 Act; and

3 (B) any reference in the Wilderness Act to
4 the Secretary of Agriculture shall be considered
5 to be a reference to the Secretary of the Interior.

6 (2) *INCORPORATION OF ACQUIRED LAND AND IN-*
7 *TERESTS.*—Any land or interest in land within the
8 boundary of the Sabinoso Wilderness that is acquired
9 by the United States shall—

10 (A) become part of the Sabinoso Wilderness;
11 and

12 (B) be managed in accordance with this Act
13 and any other laws applicable to the Sabinoso
14 Wilderness.

15 (3) *GRAZING.*—The grazing of livestock in the
16 Sabinoso Wilderness, if established before the date of
17 enactment of this Act, shall be administered in ac-
18 cordance with—

19 (A) section 4(d)(4) of the Wilderness Act (16
20 U.S.C. 1133(d)(4)); and

21 (B) the guidelines set forth in Appendix A
22 of the report of the Committee on Interior and
23 Insular Affairs of the House of Representatives
24 accompanying H.R. 2570 of the 101st Congress
25 (H. Rept. 101–405).

1 (4) *FISH AND WILDLIFE.*—*In accordance with*
2 *section 4(d)(7) of the Wilderness Act (16 U.S.C.*
3 *1133(d)(7)), nothing in this Act affects the jurisdic-*
4 *tion of the State with respect to fish and wildlife in*
5 *the State.*

6 (5) *ACCESS.*—

7 (A) *IN GENERAL.*—*In accordance with sec-*
8 *tion 5(a) of the Wilderness Act (16*
9 *U.S.C.1134(a)), the Secretary shall continue to*
10 *allow private landowners adequate access to*
11 *inholdings in the Sabinoso Wilderness.*

12 (B) *CERTAIN LAND.*—*For access purposes,*
13 *private land within T. 16 N., R. 23 E., secs. 17*
14 *and 20 and the N¹/₂ of sec. 21, N.M.M., shall be*
15 *managed as an inholding in the Sabinoso Wil-*
16 *derness.*

17 (d) *WITHDRAWAL.*—*Subject to valid existing rights,*
18 *the land generally depicted on the map as “Lands With-*
19 *drawn From Mineral Entry” and “Lands Released From*
20 *Wilderness Study Area & Withdrawn From Mineral*
21 *Entry” is withdrawn from—*

22 (1) *all forms of entry, appropriation, and dis-*
23 *posal under the public land laws, except disposal by*
24 *exchange in accordance with section 206 of the Fed-*

1 *eral Land Policy and Management Act of 1976 (43*
2 *U.S.C. 1716);*

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

5 *(3) operation of the mineral materials and geo-*
6 *thermal leasing laws.*

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