

Calendar No. 38

110TH CONGRESS
1ST SESSION

S. 260

[Report No. 110-13]

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

IN THE SENATE OF THE UNITED STATES

JANUARY 11, 2007

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

FEBRUARY 15, 2007

Reported by Mr. BINGAMAN, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

A BILL

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

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) CONSERVATION AREA.—The term “Con-
4 servation Area” means the Fort Stanton-Snowy
5 River Cave National Conservation Area established
6 by section 3(a).

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

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

13 **SEC. 3. ESTABLISHMENT OF FORT STANTON-SNOWY RIVER**
14 **CAVE NATIONAL CONSERVATION AREA.**

15 (a) ESTABLISHMENT; PURPOSES.—There is estab-
16 lished the Fort Stanton-Snowy River Cave National Con-
17 servation Area in Lincoln County, New Mexico, to protect,
18 conserve, and enhance the unique and nationally impor-
19 tant historic, cultural, scientific, archaeological, natural,
20 and educational subterranean cave resources of the Fort
21 Stanton-Snowy River cave system.

22 (b) AREA INCLUDED.—The Conservation Area shall
23 include the area within the boundaries depicted on the
24 map entitled “Fort Stanton-Snowy River Cave National
25 Conservation Area” and dated ~~November 2005~~ *January*
26 *25, 2007*.

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 submit to Congress a map and legal description
5 of the 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. MANAGEMENT OF THE CONSERVATION AREA.**

16 (a) MANAGEMENT.—

17 (1) IN GENERAL.—The Secretary shall manage
18 the Conservation Area—

19 (A) in a manner that conserves, protects,
20 and enhances the resources and values of the
21 Conservation Area, including the resources and
22 values described in section 3(a); and

23 (B) in accordance with—

24 (i) this Act;

1 (ii) the Federal Land Policy and Man-
2 agement Act of 1976 (43 U.S.C. 1701 et
3 seq.); and

4 (iii) any other applicable laws.

5 (2) USES.—The Secretary shall only allow uses
6 of the Conservation Area that are consistent with
7 the protection of the cave resources.

8 (3) REQUIREMENTS.—In administering the
9 Conservation Area, the Secretary shall provide for—

10 (A) the conservation and protection of the
11 natural and unique features and environs for
12 scientific, educational, and other appropriate
13 public uses of the Conservation Area;

14 (B) public access, as appropriate, while
15 providing for the protection of the cave re-
16 sources and for public safety;

17 (C) the continuation of other existing uses
18 or other new uses of the Conservation Area that
19 do not impair the purposes for which the Con-
20 servation Area is established;

21 (D) management of the surface area of the
22 Conservation Area in accordance with the Fort
23 Stanton Area of Critical Environmental Con-
24 cern Final Activity Plan dated March, 2001, or

1 any amendments to the plan, consistent with
2 this Act; and

3 (E) scientific investigation and research
4 opportunities within the Conservation Area, in-
5 cluding through partnerships with colleges, uni-
6 versities, schools, scientific institutions, re-
7 searchers, and scientists to conduct research
8 and provide educational and interpretive serv-
9 ices within the Conservation Area.

10 (b) WITHDRAWALS.—Subject to valid existing rights,
11 all Federal surface and subsurface land within the Con-
12 servation Area and all land and interests in the land that
13 are acquired by the United States after the date of enact-
14 ment of this Act for inclusion in the Conservation Area,
15 are withdrawn from—

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

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

20 (3) operation under the mineral leasing and
21 geothermal leasing laws.

22 (c) MANAGEMENT PLAN.—

23 (1) IN GENERAL.—Not later than 2 years after
24 the date of enactment of this Act, the Secretary

1 shall develop a comprehensive plan for the long-term
2 management of the Conservation Area.

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

4 (A) describe the appropriate uses and
5 management of the Conservation Area;

6 (B) incorporate, as appropriate, decisions
7 contained in any other management or activity
8 plan for the land within or adjacent to the Con-
9 servation Area;

10 (C) take into consideration any informa-
11 tion developed in studies of the land and re-
12 sources within or adjacent to the Conservation
13 Area; and

14 (D) provide for a cooperative agreement
15 with Lincoln County, New Mexico, to address
16 the historical involvement of the local commu-
17 nity in the interpretation and protection of the
18 resources of the Conservation Area.

19 (d) ACTIVITIES OUTSIDE CONSERVATION AREA.—
20 The establishment of the Conservation Area shall not—

21 (1) create a protective perimeter or buffer zone
22 around the Conservation Area; or

23 (2) preclude uses or activities outside the Con-
24 servation Area that are permitted under other appli-

1 cable laws, even if the uses or activities are prohib-
2 ited within the Conservation Area.

3 (e) RESEARCH AND INTERPRETIVE FACILITIES.—

4 (1) IN GENERAL.—The Secretary may establish
5 facilities for—

6 (A) the conduct of scientific research; and

7 (B) the interpretation of the historical, cul-
8 tural, scientific, archaeological, natural, and
9 educational resources of the Conservation Area.

10 (2) COOPERATIVE AGREEMENTS.—The Sec-
11 retary may, in a manner consistent with this Act,
12 enter into cooperative agreements with the State of
13 New Mexico and other institutions and organizations
14 to carry out the purposes of this Act.

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

17 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated such sums
19 as are necessary to carry out this Act. To establish the
20 Fort Stanton-Snowy River Cave National Conservation
21 Area.

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