

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

H. R. 4350

To authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BENNET (for himself and Mr. HICKENLOOPER) to the amendment (No. 3867) proposed by Mr. REED

Viz:

1 At the end of division A, add the following:

2 **TITLE XVII—COLORADO**

3 **OUTDOOR RECREATION**

4 **SEC. 1701. SHORT TITLE.**

5 This title may be cited as the “Colorado Outdoor
6 Recreation and Economy Act”.

1 **SEC. 1702. DEFINITION OF STATE.**

2 In this title, the term “State” means the State of
3 Colorado.

4 **Subtitle A—Continental Divide**

5 **SEC. 1711. DEFINITIONS.**

6 In this subtitle:

7 (1) COVERED AREA.—The term “covered area”
8 means any area designated as wilderness by the
9 amendments to section 2(a) of the Colorado Wilder-
10 ness Act of 1993 (16 U.S.C. 1132 note; Public Law
11 103–77) made by section 1712(a).

12 (2) HISTORIC LANDSCAPE.—The term “His-
13 toric Landscape” means the Camp Hale National
14 Historic Landscape designated by section 1717(a).

15 (3) RECREATION MANAGEMENT AREA.—The
16 term “Recreation Management Area” means the
17 Tenmile Recreation Management Area designated by
18 section 1714(a).

19 (4) SECRETARY.—The term “Secretary” means
20 the Secretary of Agriculture.

21 (5) WILDLIFE CONSERVATION AREA.—The
22 term “Wildlife Conservation Area” means, as appli-
23 cable—

24 (A) the Porcupine Gulch Wildlife Con-
25 servation Area designated by section 1715(a);
26 and

1 (B) the Williams Fork Mountains Wildlife
2 Conservation Area designated by section
3 1716(a).

4 **SEC. 1712. COLORADO WILDERNESS ADDITIONS.**

5 (a) DESIGNATION.—Section 2(a) of the Colorado Wil-
6 derness Act of 1993 (16 U.S.C. 1132 note; Public Law
7 103–77) is amended—

8 (1) in paragraph (18), by striking “1993,” and
9 inserting “1993, and certain Federal land within the
10 White River National Forest that comprises approxi-
11 mately 6,896 acres, as generally depicted as ‘Pro-
12 posed Ptarmigan Peak Wilderness Additions’ on the
13 map entitled ‘Proposed Ptarmigan Peak Wilderness
14 Additions’ and dated June 24, 2019,”; and

15 (2) by adding at the end the following:

16 “(23) HOLY CROSS WILDERNESS ADDITION.—
17 Certain Federal land within the White River Na-
18 tional Forest that comprises approximately 3,866
19 acres, as generally depicted as ‘Proposed Megan
20 Dickie Wilderness Addition’ on the map entitled
21 ‘Holy Cross Wilderness Addition Proposal’ and
22 dated June 24, 2019, which shall be incorporated
23 into, and managed as part of, the Holy Cross Wil-
24 derness designated by section 102(a)(5) of Public
25 Law 96–560 (94 Stat. 3266).

1 “(24) HOOSIER RIDGE WILDERNESS.—Certain
2 Federal land within the White River National Forest
3 that comprises approximately 5,235 acres, as gen-
4 erally depicted as ‘Proposed Hoosier Ridge Wilder-
5 ness’ on the map entitled ‘Tenmile Proposal’ and
6 dated June 24, 2019, which shall be known as the
7 ‘Hoosier Ridge Wilderness’.

8 “(25) TENMILE WILDERNESS.—Certain Federal
9 land within the White River National Forest that
10 comprises approximately 7,624 acres, as generally
11 depicted as ‘Proposed Tenmile Wilderness’ on the
12 map entitled ‘Tenmile Proposal’ and dated June 24,
13 2019, which shall be known as the ‘Tenmile Wilder-
14 ness’.

15 “(26) EAGLES NEST WILDERNESS ADDI-
16 TIONS.—Certain Federal land within the White
17 River National Forest that comprises approximately
18 9,670 acres, as generally depicted as ‘Proposed
19 Freeman Creek Wilderness Addition’ and ‘Proposed
20 Spraddle Creek Wilderness Addition’ on the map en-
21 titled ‘Eagles Nest Wilderness Additions Proposal’
22 and dated June 24, 2019, which shall be incor-
23 porated into, and managed as part of, the Eagles
24 Nest Wilderness designated by Public Law 94–352
25 (90 Stat. 870).”.

1 (b) APPLICABLE LAW.—Any reference in the Wilder-
2 ness Act (16 U.S.C. 1131 et seq.) to the effective date
3 of that Act shall be considered to be a reference to the
4 date of enactment of this Act for purposes of admin-
5 istering a covered area.

6 (c) FIRE, INSECTS, AND DISEASES.—In accordance
7 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
8 1133(d)(1)), the Secretary may carry out any activity in
9 a covered area that the Secretary determines to be nec-
10 essary for the control of fire, insects, and diseases, subject
11 to such terms and conditions as the Secretary determines
12 to be appropriate.

13 (d) GRAZING.—The grazing of livestock on a covered
14 area, if established before the date of enactment of this
15 Act, shall be permitted to continue subject to such reason-
16 able regulations as are considered to be necessary by the
17 Secretary, in accordance with—

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

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

1 (e) COORDINATION.—For purposes of administering
2 the Federal land designated as wilderness by paragraph
3 (26) of section 2(a) of the Colorado Wilderness Act of
4 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as
5 added by subsection (a)(2)), the Secretary shall, as deter-
6 mined to be appropriate for the protection of watersheds,
7 coordinate the activities of the Secretary in response to
8 fires and flooding events with interested State and local
9 agencies, including operations using aircraft or mecha-
10 nized equipment.

11 **SEC. 1713. WILLIAMS FORK MOUNTAINS WILDERNESS.**

12 (a) DESIGNATION.—In furtherance of the purposes of
13 the Wilderness Act (16 U.S.C. 1131 et seq.), certain Fed-
14 eral land in the White River National Forest in the State,
15 comprising approximately 8,036 acres, as generally de-
16 picted as “Proposed Williams Fork Mountains Wilder-
17 ness” on the map entitled “Williams Fork Mountains Pro-
18 posal” and dated June 24, 2019, is designated as a poten-
19 tial wilderness area.

20 (b) MANAGEMENT.—Subject to valid existing rights
21 and except as provided in subsection (d), the potential wil-
22 derness area designated by subsection (a) shall be man-
23 aged in accordance with—

24 (1) the Wilderness Act (16 U.S.C. 1131 et
25 seq.); and

1 (2) this section.

2 (c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

3 (1) IN GENERAL.—Not later than 3 years after
4 the date of enactment of this Act, in accordance
5 with applicable laws (including regulations), the Sec-
6 retary shall publish a determination regarding
7 whether to authorize livestock grazing or other use
8 by livestock on the vacant allotments known as—

9 (A) the “Big Hole Allotment”; and

10 (B) the “Blue Ridge Allotment”.

11 (2) MODIFICATION OF ALLOTMENTS.—In pub-
12 lishing a determination pursuant to paragraph (1),
13 the Secretary may modify or combine the vacant al-
14 lotments referred to in that paragraph.

15 (3) PERMIT OR OTHER AUTHORIZATION.—Not
16 later than 1 year after the date on which a deter-
17 mination of the Secretary to authorize livestock
18 grazing or other use by livestock is published under
19 paragraph (1), if applicable, the Secretary shall
20 grant a permit or other authorization for that live-
21 stock grazing or other use in accordance with appli-
22 cable laws (including regulations).

23 (d) RANGE IMPROVEMENTS.—

24 (1) IN GENERAL.—If the Secretary permits live-
25 stock grazing or other use by livestock on the poten-

1 tial wilderness area under subsection (c), the Sec-
2 retary, or a third party authorized by the Secretary,
3 may use any motorized or mechanized transport or
4 equipment for purposes of constructing or rehabili-
5 tating such range improvements as are necessary to
6 obtain appropriate livestock management objectives
7 (including habitat and watershed restoration).

8 (2) TERMINATION OF AUTHORITY.—The au-
9 thority provided by this subsection terminates on the
10 date that is 2 years after the date on which the Sec-
11 retary publishes a positive determination under sub-
12 section (c)(3).

13 (e) DESIGNATION AS WILDERNESS.—

14 (1) DESIGNATION.—The potential wilderness
15 area designated by subsection (a) shall be designated
16 as wilderness, to be known as the “Williams Fork
17 Mountains Wilderness”—

18 (A) effective not earlier than the date that
19 is 180 days after the date of enactment this
20 Act; and

21 (B) on the earliest of—

22 (i) the date on which the Secretary
23 publishes in the Federal Register a notice
24 that the construction or rehabilitation of

1 range improvements under subsection (d)
2 is complete;

3 (ii) the date described in subsection
4 (d)(2); and

5 (iii) the effective date of a determina-
6 tion of the Secretary not to authorize live-
7 stock grazing or other use by livestock
8 under subsection (c)(1).

9 (2) ADMINISTRATION.—Subject to valid existing
10 rights, the Secretary shall manage the Williams
11 Fork Mountains Wilderness in accordance with—

12 (A) the Colorado Wilderness Act of 1993
13 (16 U.S.C. 1132 note; Public Law 103–77);
14 and

15 (B) this subtitle.

16 **SEC. 1714. TENMILE RECREATION MANAGEMENT AREA.**

17 (a) DESIGNATION.—Subject to valid existing rights,
18 the approximately 17,122 acres of Federal land in the
19 White River National Forest in the State, as generally de-
20 picted as “Proposed Tenmile Recreation Management
21 Area” on the map entitled “Tenmile Proposal” and dated
22 June 24, 2019, are designated as the “Tenmile Recreation
23 Management Area”.

24 (b) PURPOSES.—The purposes of the Recreation
25 Management Area are to conserve, protect, and enhance

1 for the benefit and enjoyment of present and future gen-
2 erations the recreational, scenic, watershed, habitat, and
3 ecological resources of the Recreation Management Area.

4 (c) MANAGEMENT.—

5 (1) IN GENERAL.—The Secretary shall manage
6 the Recreation Management Area—

7 (A) in a manner that conserves, protects,
8 and enhances—

9 (i) the purposes of the Recreation
10 Management Area described in subsection
11 (b); and

12 (ii) recreation opportunities, including
13 mountain biking, hiking, fishing, horseback
14 riding, snowshoeing, climbing, skiing,
15 camping, and hunting; and

16 (B) in accordance with—

17 (i) the Forest and Rangeland Renew-
18 able Resources Planning Act of 1974 (16
19 U.S.C. 1600 et seq.);

20 (ii) any other applicable laws (includ-
21 ing regulations); and

22 (iii) this section.

23 (2) USES.—

24 (A) IN GENERAL.—The Secretary shall
25 only allow such uses of the Recreation Manage-

1 ment Area as the Secretary determines would
2 further the purposes described in subsection
3 (b).

4 (B) VEHICLES.—

5 (i) IN GENERAL.—Except as provided
6 in clause (iii), the use of motorized vehicles
7 in the Recreation Management Area shall
8 be limited to the roads, vehicle classes, and
9 periods authorized for motorized vehicle
10 use on the date of enactment of this Act.

11 (ii) NEW OR TEMPORARY ROADS.—
12 Except as provided in clause (iii), no new
13 or temporary road shall be constructed in
14 the Recreation Management Area.

15 (iii) EXCEPTIONS.—Nothing in clause
16 (i) or (ii) prevents the Secretary from—

17 (I) rerouting or closing an exist-
18 ing road or trail to protect natural re-
19 sources from degradation, as the Sec-
20 retary determines to be appropriate;

21 (II) authorizing the use of motor-
22 ized vehicles for administrative pur-
23 poses or roadside camping;

24 (III) constructing temporary
25 roads or permitting the use of motor-

1 ized vehicles to carry out pre- or post-
2 fire watershed protection projects;

3 (IV) authorizing the use of mo-
4 torized vehicles to carry out any activ-
5 ity described in subsection (d), (e)(1),
6 or (f); or

7 (V) responding to an emergency.

8 (C) COMMERCIAL TIMBER.—

9 (i) IN GENERAL.—Subject to clause
10 (ii), no project shall be carried out in the
11 Recreation Management Area for the pur-
12 pose of harvesting commercial timber.

13 (ii) LIMITATION.—Nothing in clause
14 (i) prevents the Secretary from harvesting
15 or selling a merchantable product that is a
16 byproduct of an activity authorized under
17 this section.

18 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
19 may carry out any activity, in accordance with applicable
20 laws (including regulations), that the Secretary deter-
21 mines to be necessary to prevent, control, or mitigate fire,
22 insects, or disease in the Recreation Management Area,
23 subject to such terms and conditions as the Secretary de-
24 termines to be appropriate.

25 (e) WATER.—

1 (1) EFFECT ON WATER MANAGEMENT INFRA-
2 STRUCTURE.—Nothing in this section affects the
3 construction, repair, reconstruction, replacement, op-
4 eration, maintenance, or renovation within the
5 Recreation Management Area of—

6 (A) water management infrastructure in
7 existence on the date of enactment of this Act;
8 or

9 (B) any future infrastructure necessary for
10 the development or exercise of water rights de-
11 creed before the date of enactment of this Act.

12 (2) APPLICABLE LAW.—Section 3(e) of the
13 James Peak Wilderness and Protection Area Act
14 (Public Law 107–216; 116 Stat. 1058) shall apply
15 to the Recreation Management Area.

16 (f) REGIONAL TRANSPORTATION PROJECTS.—Noth-
17 ing in this section precludes the Secretary from author-
18 izing, in accordance with applicable laws (including regula-
19 tions), the use or leasing of Federal land within the Recre-
20 ation Management Area for—

21 (1) a regional transportation project, includ-
22 ing—

23 (A) highway widening or realignment; and

24 (B) construction of multimodal transpor-
25 tation systems; or

1 ignated as the “Porcupine Gulch Wildlife Conservation
2 Area” (referred to in this section as the “Wildlife Con-
3 servation Area”).

4 (b) PURPOSES.—The purposes of the Wildlife Con-
5 servation Area are—

6 (1) to conserve and protect a wildlife migration
7 corridor over Interstate 70; and

8 (2) to conserve, protect, and enhance for the
9 benefit and enjoyment of present and future genera-
10 tions the wildlife, scenic, roadless, watershed, and
11 ecological resources of the Wildlife Conservation
12 Area.

13 (c) MANAGEMENT.—

14 (1) IN GENERAL.—The Secretary shall manage
15 the Wildlife Conservation Area—

16 (A) in a manner that conserves, protects,
17 and enhances the purposes described in sub-
18 section (b); and

19 (B) in accordance with—

20 (i) the Forest and Rangeland Renew-
21 able Resources Planning Act of 1974 (16
22 U.S.C. 1600 et seq.);

23 (ii) any other applicable laws (includ-
24 ing regulations); and

25 (iii) this section.

1 (2) USES.—

2 (A) IN GENERAL.—The Secretary shall
3 only allow such uses of the Wildlife Conserva-
4 tion Area as the Secretary determines would
5 further the purposes described in subsection
6 (b).

7 (B) RECREATION.—The Secretary may
8 permit such recreational activities in the Wild-
9 life Conservation Area that the Secretary deter-
10 mines are consistent with the purposes de-
11 scribed in subsection (b).

12 (C) MOTORIZED VEHICLES AND MECHA-
13 NIZED TRANSPORT; NEW OR TEMPORARY
14 ROADS.—

15 (i) MOTORIZED VEHICLES AND
16 MECHANIZED TRANSPORT.—Except as pro-
17 vided in clause (iii), the use of motorized
18 vehicles and mechanized transport in the
19 Wildlife Conservation Area shall be prohib-
20 ited.

21 (ii) NEW OR TEMPORARY ROADS.—
22 Except as provided in clause (iii) and sub-
23 section (e), no new or temporary road shall
24 be constructed within the Wildlife Con-
25 servation Area.

1 (iii) EXCEPTIONS.—Nothing in clause
2 (i) or (ii) prevents the Secretary from—

3 (I) authorizing the use of motor-
4 ized vehicles or mechanized transport
5 for administrative purposes;

6 (II) constructing temporary
7 roads or permitting the use of motor-
8 ized vehicles or mechanized transport
9 to carry out pre- or post-fire water-
10 shed protection projects;

11 (III) authorizing the use of mo-
12 torized vehicles or mechanized trans-
13 port to carry out activities described
14 in subsection (d) or (e); or

15 (IV) responding to an emergency.

16 (D) COMMERCIAL TIMBER.—

17 (i) IN GENERAL.—Subject to clause
18 (ii), no project shall be carried out in the
19 Wildlife Conservation Area for the purpose
20 of harvesting commercial timber.

21 (ii) LIMITATION.—Nothing in clause
22 (i) prevents the Secretary from harvesting
23 or selling a merchantable product that is a
24 byproduct of an activity authorized under
25 this section.

1 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
2 may carry out any activity, in accordance with applicable
3 laws (including regulations), that the Secretary deter-
4 mines to be necessary to prevent, control, or mitigate fire,
5 insects, or disease in the Wildlife Conservation Area, sub-
6 ject to such terms and conditions as the Secretary deter-
7 mines to be appropriate.

8 (e) REGIONAL TRANSPORTATION PROJECTS.—Noth-
9 ing in this section or section 1720(f) precludes the Sec-
10 retary from authorizing, in accordance with applicable
11 laws (including regulations), the use or leasing of Federal
12 land within the Wildlife Conservation Area for—

13 (1) a regional transportation project, includ-
14 ing—

15 (A) highway widening or realignment; and

16 (B) construction of multimodal transpor-
17 tation systems; or

18 (2) any infrastructure, activity, or safety meas-
19 ure associated with the implementation or use of a
20 facility constructed under paragraph (1).

21 (f) APPLICABLE LAW.—Nothing in this section af-
22 fects the designation of the Federal land within the Wild-
23 life Conservation Area for purposes of—

24 (1) section 138 of title 23, United States Code;

25 or

1 (2) section 303 of title 49, United States Code.

2 (g) WATER.—Section 3(e) of the James Peak Wilder-
3 ness and Protection Area Act (Public Law 107–216; 116
4 Stat. 1058) shall apply to the Wildlife Conservation Area.

5 **SEC. 1716. WILLIAMS FORK MOUNTAINS WILDLIFE CON-**
6 **SERVATION AREA.**

7 (a) DESIGNATION.—Subject to valid existing rights,
8 the approximately 3,528 acres of Federal land in the
9 White River National Forest in the State, as generally de-
10 picted as “Proposed Williams Fork Mountains Wildlife
11 Conservation Area” on the map entitled “Williams Fork
12 Mountains Proposal” and dated June 24, 2019, are des-
13 igned as the “Williams Fork Mountains Wildlife Con-
14 servation Area” (referred to in this section as the “Wild-
15 life Conservation Area”).

16 (b) PURPOSES.—The purposes of the Wildlife Con-
17 servation Area are to conserve, protect, and enhance for
18 the benefit and enjoyment of present and future genera-
19 tions the wildlife, scenic, roadless, watershed, recreational,
20 and ecological resources of the Wildlife Conservation Area.

21 (c) MANAGEMENT.—

22 (1) IN GENERAL.—The Secretary shall manage
23 the Wildlife Conservation Area—

1 (A) in a manner that conserves, protects,
2 and enhances the purposes described in sub-
3 section (b); and

4 (B) in accordance with—

5 (i) the Forest and Rangeland Renew-
6 able Resources Planning Act of 1974 (16
7 U.S.C. 1600 et seq.);

8 (ii) any other applicable laws (includ-
9 ing regulations); and

10 (iii) this section.

11 (2) USES.—

12 (A) IN GENERAL.—The Secretary shall
13 only allow such uses of the Wildlife Conserva-
14 tion Area as the Secretary determines would
15 further the purposes described in subsection
16 (b).

17 (B) MOTORIZED VEHICLES.—

18 (i) IN GENERAL.—Except as provided
19 in clause (iii), the use of motorized vehicles
20 in the Wildlife Conservation Area shall be
21 limited to designated roads and trails.

22 (ii) NEW OR TEMPORARY ROADS.—
23 Except as provided in clause (iii), no new
24 or temporary road shall be constructed in
25 the Wildlife Conservation Area.

1 (iii) EXCEPTIONS.—Nothing in clause

2 (i) or (ii) prevents the Secretary from—

3 (I) authorizing the use of motor-
4 ized vehicles for administrative pur-
5 poses;

6 (II) authorizing the use of motor-
7 ized vehicles to carry out activities de-
8 scribed in subsection (d); or

9 (III) responding to an emer-
10 gency.

11 (C) BICYCLES.—The use of bicycles in the
12 Wildlife Conservation Area shall be limited to
13 designated roads and trails.

14 (D) COMMERCIAL TIMBER.—

15 (i) IN GENERAL.—Subject to clause
16 (ii), no project shall be carried out in the
17 Wildlife Conservation Area for the purpose
18 of harvesting commercial timber.

19 (ii) LIMITATION.—Nothing in clause
20 (i) prevents the Secretary from harvesting
21 or selling a merchantable product that is a
22 byproduct of an activity authorized under
23 this section.

24 (E) GRAZING.—The laws (including regu-
25 lations) and policies followed by the Secretary

1 in issuing and administering grazing permits or
2 leases on land under the jurisdiction of the Sec-
3 retary shall continue to apply with regard to
4 the land in the Wildlife Conservation Area, con-
5 sistent with the purposes described in sub-
6 section (b).

7 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
8 may carry out any activity, in accordance with applicable
9 laws (including regulations), that the Secretary deter-
10 mines to be necessary to prevent, control, or mitigate fire,
11 insects, or disease in the Wildlife Conservation Area, sub-
12 ject to such terms and conditions as the Secretary deter-
13 mines to be appropriate.

14 (e) REGIONAL TRANSPORTATION PROJECTS.—Noth-
15 ing in this section or section 1720(f) precludes the Sec-
16 retary from authorizing, in accordance with applicable
17 laws (including regulations), the use or leasing of Federal
18 land within the Wildlife Conservation Area for—

19 (1) a regional transportation project, includ-
20 ing—

21 (A) highway widening or realignment; and

22 (B) construction of multimodal transpor-
23 tation systems; or

1 (2) any infrastructure, activity, or safety meas-
2 ure associated with the implementation or use of a
3 facility constructed under paragraph (1).

4 (f) WATER.—Section 3(e) of the James Peak Wilder-
5 ness and Protection Area Act (Public Law 107–216; 116
6 Stat. 1058) shall apply to the Wildlife Conservation Area.

7 **SEC. 1717. CAMP HALE NATIONAL HISTORIC LANDSCAPE.**

8 (a) DESIGNATION.—Subject to valid existing rights,
9 the approximately 28,676 acres of Federal land in the
10 White River National Forest in the State, as generally de-
11 picted as “Proposed Camp Hale National Historic Land-
12 scape” on the map entitled “Camp Hale National Historic
13 Landscape Proposal” and dated June 24, 2019, are des-
14 ignated the “Camp Hale National Historic Landscape”.

15 (b) PURPOSES.—The purposes of the Historic Land-
16 scape are—

17 (1) to provide for—

18 (A) the interpretation of historic events,
19 activities, structures, and artifacts of the His-
20 toric Landscape, including with respect to the
21 role of the Historic Landscape in local, na-
22 tional, and world history;

23 (B) the historic preservation of the His-
24 toric Landscape, consistent with—

1 (i) the designation of the Historic
2 Landscape as a national historic site; and

3 (ii) the other purposes of the Historic
4 Landscape;

5 (C) recreational opportunities, with an em-
6 phasis on the activities related to the historic
7 use of the Historic Landscape, including skiing,
8 snowshoeing, snowmobiling, hiking, horseback
9 riding, climbing, other road- and trail-based ac-
10 tivities, and other outdoor activities; and

11 (D) the continued environmental remedi-
12 ation and removal of unexploded ordnance at
13 the Camp Hale Formerly Used Defense Site
14 and the Camp Hale historic cantonment area;
15 and

16 (2) to conserve, protect, restore, and enhance
17 for the benefit and enjoyment of present and future
18 generations the scenic, watershed, and ecological re-
19 sources of the Historic Landscape.

20 (c) MANAGEMENT.—

21 (1) IN GENERAL.—The Secretary shall manage
22 the Historic Landscape in accordance with—

23 (A) the purposes of the Historic Landscape
24 described in subsection (b); and

1 (B) any other applicable laws (including
2 regulations).

3 (2) MANAGEMENT PLAN.—

4 (A) IN GENERAL.—Not later than 5 years
5 after the date of enactment of this Act, the Sec-
6 retary shall prepare a management plan for the
7 Historic Landscape.

8 (B) CONTENTS.—The management plan
9 prepared under subparagraph (A) shall include
10 plans for—

11 (i) improving the interpretation of his-
12 toric events, activities, structures, and arti-
13 facts of the Historic Landscape, including
14 with respect to the role of the Historic
15 Landscape in local, national, and world
16 history;

17 (ii) conducting historic preservation
18 and veteran outreach and engagement ac-
19 tivities;

20 (iii) managing recreational opportuni-
21 ties, including the use and stewardship
22 of—

23 (I) the road and trail systems;
24 and

1 (II) dispersed recreation re-
2 sources;

3 (iv) the conservation, protection, res-
4 toration, or enhancement of the scenic, wa-
5 tershed, and ecological resources of the
6 Historic Landscape, including—

7 (I) conducting the restoration
8 and enhancement project under sub-
9 section (d);

10 (II) forest fuels, wildfire, and
11 mitigation management; and

12 (III) watershed health and pro-
13 tection;

14 (v) environmental remediation and,
15 consistent with subsection (e)(2), the re-
16 moval of unexploded ordnance; and

17 (vi) managing the Historic Landscape
18 in accordance with subsection (g).

19 (3) EXPLOSIVE HAZARDS.—The Secretary shall
20 provide to the Secretary of the Army a notification
21 of any unexploded ordnance (as defined in section
22 101(e) of title 10, United States Code) that is dis-
23 covered in the Historic Landscape.

24 (d) CAMP HALE RESTORATION AND ENHANCEMENT
25 PROJECT.—

1 (1) IN GENERAL.—The Secretary shall conduct
2 a restoration and enhancement project in the His-
3 toric Landscape—

4 (A) to improve aquatic, riparian, and wet-
5 land conditions in and along the Eagle River
6 and tributaries of the Eagle River;

7 (B) to maintain or improve recreation and
8 interpretive opportunities and facilities; and

9 (C) to conserve historic values in the Camp
10 Hale area.

11 (2) COORDINATION.—In carrying out the
12 project described in paragraph (1), the Secretary
13 shall coordinate with, and provide the opportunity to
14 collaborate on the project to—

15 (A) the Corps of Engineers;

16 (B) the Camp Hale-Eagle River Head-
17 waters Collaborative Group;

18 (C) the National Forest Foundation;

19 (D) the Colorado Department of Public
20 Health and Environment;

21 (E) the Colorado State Historic Preserva-
22 tion Office;

23 (F) the Colorado Department of Natural
24 Resources;

25 (G) units of local government; and

1 (H) other interested organizations and
2 members of the public.

3 (e) ENVIRONMENTAL REMEDIATION.—

4 (1) IN GENERAL.—The Secretary of the Army
5 shall continue to carry out the projects and activities
6 of the Department of the Army in existence on the
7 date of enactment of this Act relating to cleanup
8 of—

9 (A) the Camp Hale Formerly Used De-
10 fense Site; or

11 (B) the Camp Hale historic cantonment
12 area.

13 (2) REMOVAL OF UNEXPLODED ORDNANCE.—

14 (A) IN GENERAL.—The Secretary of the
15 Army may remove unexploded ordnance (as de-
16 fined in section 101(e) of title 10, United
17 States Code) from the Historic Landscape, as
18 the Secretary of the Army determines to be ap-
19 propriate in accordance with applicable law (in-
20 cluding regulations).

21 (B) ACTION ON RECEIPT OF NOTICE.—On
22 receipt from the Secretary of a notification of
23 unexploded ordnance under subsection (c)(3),
24 the Secretary of the Army may remove the
25 unexploded ordnance in accordance with—

1 (i) the program for environmental res-
2 toration of formerly used defense sites
3 under section 2701 of title 10, United
4 States Code;

5 (ii) the Comprehensive Environmental
6 Response, Compensation, and Liability Act
7 of 1980 (42 U.S.C. 9601 et seq.); and

8 (iii) any other applicable provision of
9 law (including regulations).

10 (3) EFFECT OF SUBSECTION.—Nothing in this
11 subsection modifies any obligation in existence on
12 the date of enactment of this Act relating to envi-
13 ronmental remediation or removal of any unexploded
14 ordnance located in or around the Camp Hale his-
15 toric cantonment area, the Camp Hale Formerly
16 Used Defense Site, or the Historic Landscape, in-
17 cluding such an obligation under—

18 (A) the program for environmental restora-
19 tion of formerly used defense sites under sec-
20 tion 2701 of title 10, United States Code;

21 (B) the Comprehensive Environmental Re-
22 sponse, Compensation, and Liability Act of
23 1980 (42 U.S.C. 9601 et seq.); or

24 (C) any other applicable provision of law
25 (including regulations).

1 (f) INTERAGENCY AGREEMENT.—The Secretary and
2 the Secretary of the Army shall enter into an agreement—

3 (1) to specify—

4 (A) the activities of the Secretary relating
5 to the management of the Historic Landscape;
6 and

7 (B) the activities of the Secretary of the
8 Army relating to environmental remediation
9 and the removal of unexploded ordnance in ac-
10 cordance with subsection (e) and other applica-
11 ble laws (including regulations); and

12 (2) to require the Secretary to provide to the
13 Secretary of the Army, by not later than 1 year
14 after the date of enactment of this Act and periodi-
15 cally thereafter, as appropriate, a management plan
16 for the Historic Landscape for purposes of the re-
17 moval activities described in subsection (e).

18 (g) EFFECT.—Nothing in this section—

19 (1) affects the jurisdiction of the State over any
20 water law, water right, or adjudication or adminis-
21 tration relating to any water resource;

22 (2) affects any water right in existence on the
23 date of enactment of this Act, or the exercise of such
24 a water right, including—

1 (A) a water right subject to an interstate
2 water compact (including full development of
3 any apportionment made in accordance with
4 such a compact);

5 (B) a water right decreed within, above,
6 below, or through the Historic Landscape;

7 (C) a change, exchange, plan for aug-
8 mentation, or other water decree with respect to
9 a water right, including a conditional water
10 right, in existence on the date of enactment of
11 this Act—

12 (i) that is consistent with the pur-
13 poses described in subsection (b); and

14 (ii) that does not result in diversion of
15 a greater flow rate or volume of water for
16 such a water right in existence on the date
17 of enactment of this Act;

18 (D) a water right held by the United
19 States;

20 (E) the management or operation of any
21 reservoir, including the storage, management,
22 release, or transportation of water; and

23 (F) the construction or operation of such
24 infrastructure as is determined to be necessary
25 by an individual or entity holding water rights

1 to develop and place to beneficial use those
2 rights, subject to applicable Federal, State, and
3 local law (including regulations);

4 (3) constitutes an express or implied reservation
5 by the United States of any reserved or appropria-
6 tive water right;

7 (4) alters or limits—

8 (A) a permit held by a ski area;

9 (B) the implementation of activities gov-
10 erned by a ski area permit; or

11 (C) the authority of the Secretary to mod-
12 ify or expand an existing ski area permit;

13 (5) prevents the Secretary from closing portions
14 of the Historic Landscape for public safety, environ-
15 mental remediation, or other use in accordance with
16 applicable laws; or

17 (6) affects—

18 (A) any special use permit in effect on the
19 date of enactment of this Act; or

20 (B) the renewal of a permit described in
21 subparagraph (A).

22 (h) FUNDING.—

23 (1) IN GENERAL.—There is established in the
24 general fund of the Treasury a special account, to

1 be known as the “Camp Hale Historic Preservation
2 and Restoration Fund”.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to the Camp
5 Hale Historic Preservation and Restoration Fund
6 \$10,000,000, to be available to the Secretary until
7 expended, for activities relating to historic interpre-
8 tation, preservation, and restoration carried out in
9 and around the Historic Landscape.

10 (i) DESIGNATION OF OVERLOOK.—The interpretive
11 site located beside United States Route 24 in the State,
12 at 39.431N 106.323W, is designated as the “Sandy Treat
13 Overlook”.

14 **SEC. 1718. WHITE RIVER NATIONAL FOREST BOUNDARY**
15 **MODIFICATION.**

16 (a) IN GENERAL.—The boundary of the White River
17 National Forest is modified to include the approximately
18 120 acres comprised of the SW¹/₄, the SE¹/₄, and the
19 NE¹/₄ of the SE¹/₄ of sec. 1, T. 2 S., R. 80 W., 6th Prin-
20 cipal Meridian, in Summit County in the State.

21 (b) LAND AND WATER CONSERVATION FUND.—For
22 purposes of section 200306 of title 54, United States
23 Code, the boundaries of the White River National Forest,
24 as modified by subsection (a), shall be considered to be

1 the boundaries of the White River National Forest as in
2 existence on January 1, 1965.

3 **SEC. 1719. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL**
4 **WILDERNESS BOUNDARY ADJUSTMENT.**

5 (a) PURPOSE.—The purpose of this section is to pro-
6 vide for the ongoing maintenance and use of portions of
7 the Trail River Ranch and the associated property located
8 within Rocky Mountain National Park in Grand County
9 in the State.

10 (b) BOUNDARY ADJUSTMENT.—Section 1952(b) of
11 the Omnibus Public Land Management Act of 2009 (Pub-
12 lic Law 111–11; 123 Stat. 1070) is amended by adding
13 at the end the following:

14 “(3) BOUNDARY ADJUSTMENT.—The boundary
15 of the Potential Wilderness is modified to exclude
16 the area comprising approximately 15.5 acres of
17 land identified as ‘Potential Wilderness to Non-wil-
18 derness’ on the map entitled ‘Rocky Mountain Na-
19 tional Park Proposed Wilderness Area Amendment’
20 and dated January 16, 2018.”.

21 **SEC. 1720. ADMINISTRATIVE PROVISIONS.**

22 (a) FISH AND WILDLIFE.—Nothing in this subtitle
23 affects the jurisdiction or responsibility of the State with
24 respect to fish and wildlife in the State.

25 (b) NO BUFFER ZONES.—

1 (1) IN GENERAL.—Nothing in this subtitle or
2 an amendment made by this subtitle establishes a
3 protective perimeter or buffer zone around—

4 (A) a covered area;

5 (B) a wilderness area or potential wilder-
6 ness area designated by section 1713;

7 (C) the Recreation Management Area;

8 (D) a Wildlife Conservation Area; or

9 (E) the Historic Landscape.

10 (2) OUTSIDE ACTIVITIES.—The fact that a non-
11 wilderness activity or use on land outside of an area
12 described in paragraph (1) can be seen or heard
13 from within the applicable area described in para-
14 graph (1) shall not preclude the activity or use out-
15 side the boundary of the applicable area described in
16 paragraph (1).

17 (c) TRIBAL RIGHTS AND USES.—

18 (1) TREATY RIGHTS.—Nothing in this subtitle
19 affects the treaty rights of an Indian Tribe.

20 (2) TRADITIONAL TRIBAL USES.—Subject to
21 any terms and conditions that the Secretary deter-
22 mines to be necessary and in accordance with appli-
23 cable law, the Secretary shall allow for the continued
24 use of the areas described in subsection (b)(1) by
25 members of Indian Tribes—

1 (A) for traditional ceremonies; and

2 (B) as a source of traditional plants and
3 other materials.

4 (d) MAPS AND LEGAL DESCRIPTIONS.—

5 (1) IN GENERAL.—As soon as practicable after
6 the date of enactment of this Act, the Secretary
7 shall file maps and legal descriptions of each area
8 described in subsection (b)(1) with—

9 (A) the Committee on Natural Resources
10 of the House of Representatives; and

11 (B) the Committee on Energy and Natural
12 Resources of the Senate.

13 (2) FORCE OF LAW.—Each map and legal de-
14 scription filed under paragraph (1) shall have the
15 same force and effect as if included in this subtitle,
16 except that the Secretary may correct any typo-
17 graphical errors in the maps and legal descriptions.

18 (3) PUBLIC AVAILABILITY.—Each map and
19 legal description filed under paragraph (1) shall be
20 on file and available for public inspection in the ap-
21 propriate offices of the Forest Service.

22 (e) ACQUISITION OF LAND.—

23 (1) IN GENERAL.—The Secretary may acquire
24 any land or interest in land within the boundaries of
25 an area described in subsection (b)(1) only through

1 exchange, donation, or purchase from a willing sell-
2 er.

3 (2) MANAGEMENT.—Any land or interest in
4 land acquired under paragraph (1) shall be incor-
5 porated into, and administered as a part of, the wil-
6 derness area, Recreation Management Area, Wildlife
7 Conservation Area, or Historic Landscape, as appli-
8 cable, in which the land or interest in land is lo-
9 cated.

10 (f) WITHDRAWAL.—Subject to valid rights in exist-
11 ence on the date of enactment of this Act, the areas de-
12 scribed in subsection (b)(1) are withdrawn from—

13 (1) entry, appropriation, and disposal under the
14 public land laws;

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

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

19 (g) MILITARY OVERFLIGHTS.—Nothing in this sub-
20 title or an amendment made by this subtitle restricts or
21 precludes—

22 (1) any low-level overflight of military aircraft
23 over any area subject to this subtitle or an amend-
24 ment made by this subtitle, including military over-

1 flights that can be seen, heard, or detected within
2 such an area;

3 (2) flight testing or evaluation over an area de-
4 scribed in paragraph (1); or

5 (3) the use or establishment of—

6 (A) any new unit of special use airspace
7 over an area described in paragraph (1); or

8 (B) any military flight training or trans-
9 portation over such an area.

10 (h) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that military aviation training on Federal public
12 land in the State, including the training conducted at the
13 High-Altitude Army National Guard Aviation Training
14 Site, is critical to the national security of the United
15 States and the readiness of the Armed Forces.

16 **Subtitle B—San Juan Mountains**

17 **SEC. 1731. DEFINITIONS.**

18 In this subtitle:

19 (1) COVERED LAND.—The term “covered land”
20 means—

21 (A) land designated as wilderness under
22 paragraphs (27) through (29) of section 2(a) of
23 the Colorado Wilderness Act of 1993 (16
24 U.S.C. 1132 note; Public Law 103–77) (as
25 added by section 1732); and

1 (B) a Special Management Area.

2 (2) SECRETARY.—The term “Secretary” means
3 the Secretary of Agriculture.

4 (3) SPECIAL MANAGEMENT AREA.—The term
5 “Special Management Area” means each of—

6 (A) the Sheep Mountain Special Manage-
7 ment Area designated by section 1733(a)(1);
8 and

9 (B) the Liberty Bell East Special Manage-
10 ment Area designated by section 1733(a)(2).

11 **SEC. 1732. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
12 **VATION SYSTEM.**

13 Section 2(a) of the Colorado Wilderness Act of 1993
14 (16 U.S.C. 1132 note; Public Law 103–77) (as amended
15 by section 1712(a)(2)) is amended by adding at the end
16 the following:

17 “(27) LIZARD HEAD WILDERNESS ADDITION.—
18 Certain Federal land in the Grand Mesa,
19 Uncompahgre, and Gunnison National Forests com-
20 prising approximately 3,141 acres, as generally de-
21 picted on the map entitled ‘Proposed Wilson, Sun-
22 shine, Black Face and San Bernardo Additions to
23 the Lizard Head Wilderness’ and dated September
24 6, 2018, which is incorporated in, and shall be ad-
25 ministered as part of, the Lizard Head Wilderness.

1 “(28) MOUNT SNEFFELS WILDERNESS ADDI-
2 TIONS.—

3 “(A) LIBERTY BELL AND LAST DOLLAR
4 ADDITIONS.—Certain Federal land in the
5 Grand Mesa, Uncompahgre, and Gunnison Na-
6 tional Forests comprising approximately 7,235
7 acres, as generally depicted on the map entitled
8 ‘Proposed Liberty Bell and Last Dollar Addi-
9 tions to the Mt. Sneffels Wilderness, Liberty
10 Bell East Special Management Area’ and dated
11 September 6, 2018, which is incorporated in,
12 and shall be administered as part of, the Mount
13 Sneffels Wilderness.

14 “(B) WHITEHOUSE ADDITIONS.—Certain
15 Federal land in the Grand Mesa, Uncompahgre,
16 and Gunnison National Forests comprising ap-
17 proximately 12,465 acres, as generally depicted
18 on the map entitled ‘Proposed Whitehouse Ad-
19 ditions to the Mt. Sneffels Wilderness’ and
20 dated September 6, 2018, which is incorporated
21 in, and shall be administered as part of, the
22 Mount Sneffels Wilderness.

23 “(29) MCKENNA PEAK WILDERNESS.—Certain
24 Federal land in the State of Colorado comprising ap-
25 proximately 8,884 acres of Bureau of Land Manage-

1 ment land, as generally depicted on the map entitled
2 ‘Proposed McKenna Peak Wilderness Area’ and
3 dated September 18, 2018, to be known as the
4 ‘McKenna Peak Wilderness’.”.

5 **SEC. 1733. SPECIAL MANAGEMENT AREAS.**

6 (a) DESIGNATION.—

7 (1) SHEEP MOUNTAIN SPECIAL MANAGEMENT
8 AREA.—The Federal land in the Grand Mesa,
9 Uncompahgre, and Gunnison and San Juan Na-
10 tional Forests in the State comprising approximately
11 21,663 acres, as generally depicted on the map enti-
12 tled “Proposed Sheep Mountain Special Manage-
13 ment Area” and dated September 19, 2018, is des-
14 ignated as the “Sheep Mountain Special Manage-
15 ment Area”.

16 (2) LIBERTY BELL EAST SPECIAL MANAGE-
17 MENT AREA.—The Federal land in the Grand Mesa,
18 Uncompahgre, and Gunnison National Forests in
19 the State comprising approximately 792 acres, as
20 generally depicted on the map entitled “Proposed
21 Liberty Bell and Last Dollar Additions to the Mt.
22 Sneffels Wilderness, Liberty Bell East Special Man-
23 agement Area” and dated September 6, 2018, is
24 designated as the “Liberty Bell East Special Man-
25 agement Area”.

1 (2) PROHIBITIONS.—The following shall be pro-
2 hibited in the Special Management Areas:

3 (A) Permanent roads.

4 (B) Except as necessary to meet the min-
5 imum requirements for the administration of
6 the Federal land, to provide access for aban-
7 doned mine cleanup, and to protect public
8 health and safety—

9 (i) the use of motor vehicles, motor-
10 ized equipment, or mechanical transport
11 (other than as provided in paragraph (3));
12 and

13 (ii) the establishment of temporary
14 roads.

15 (3) AUTHORIZED ACTIVITIES.—

16 (A) IN GENERAL.—The Secretary may
17 allow any activities (including helicopter access
18 for recreation and maintenance and the com-
19 petitive running event permitted since 1992)
20 that have been authorized by permit or license
21 as of the date of enactment of this Act to con-
22 tinue within the Special Management Areas,
23 subject to such terms and conditions as the
24 Secretary may require.

1 (B) PERMITTING.—The designation of the
2 Special Management Areas by subsection (a)
3 shall not affect the issuance of permits relating
4 to the activities covered under subparagraph
5 (A) after the date of enactment of this Act.

6 (C) BICYCLES.—The Secretary may permit
7 the use of bicycles in—

8 (i) the portion of the Sheep Mountain
9 Special Management Area identified as
10 “Ophir Valley Area” on the map entitled
11 “Proposed Sheep Mountain Special Man-
12 agement Area” and dated September 19,
13 2018; and

14 (ii) the portion of the Liberty Bell
15 East Special Management Area identified
16 as “Liberty Bell Corridor” on the map en-
17 titled “Proposed Liberty Bell and Last
18 Dollar Additions to the Mt. Sneffels Wil-
19 derness, Liberty Bell East Special Manage-
20 ment Area” and dated September 6, 2018.

21 (d) APPLICABLE LAW.—Water and water rights in
22 the Special Management Areas shall be administered in
23 accordance with section 8 of the Colorado Wilderness Act
24 of 1993 (Public Law 103–77; 107 Stat. 762), except that,
25 for purposes of this subtitle—

1 (1) any reference contained in that section to
2 “the lands designated as wilderness by this Act”,
3 “the Piedra, Roubideau, and Tabeguache areas iden-
4 tified in section 9 of this Act, or the Bowen Gulch
5 Protection Area or the Fossil Ridge Recreation Man-
6 agement Area identified in sections 5 and 6 of this
7 Act”, or “the areas described in sections 2, 5, 6, and
8 9 of this Act” shall be considered to be a reference
9 to “the Special Management Areas”; and

10 (2) any reference contained in that section to
11 “this Act” shall be considered to be a reference to
12 “the Colorado Outdoor Recreation and Economy
13 Act”.

14 **SEC. 1734. RELEASE OF WILDERNESS STUDY AREAS.**

15 (a) DOMINGUEZ CANYON WILDERNESS STUDY
16 AREA.—Subtitle E of title II of Public Law 111–11 is
17 amended—

18 (1) by redesignating section 2408 (16 U.S.C.
19 460zzz–7) as section 2409; and

20 (2) by inserting after section 2407 (16 U.S.C.
21 460zzz–6) the following:

22 **“SEC. 2408. RELEASE.**

23 “(a) IN GENERAL.—Congress finds that, for the pur-
24 poses of section 603(c) of the Federal Land Policy and
25 Management Act of 1976 (43 U.S.C. 1782(c)), the por-

1 tions of the Dominguez Canyon Wilderness Study Area
2 not designated as wilderness by this subtitle have been
3 adequately studied for wilderness designation.

4 “(b) RELEASE.—Any public land referred to in sub-
5 section (a) that is not designated as wilderness by this
6 subtitle—

7 “(1) is no longer subject to section 603(c) of
8 the Federal Land Policy and Management Act of
9 1976 (43 U.S.C. 1782(c)); and

10 “(2) shall be managed in accordance with this
11 subtitle and any other applicable laws.”.

12 (b) MCKENNA PEAK WILDERNESS STUDY AREA.—

13 (1) IN GENERAL.—Congress finds that, for the
14 purposes of section 603(c) of the Federal Land Pol-
15 icy and Management Act of 1976 (43 U.S.C.
16 1782(c)), the portions of the McKenna Peak Wilder-
17 ness Study Area in San Miguel County in the State
18 not designated as wilderness by paragraph (29) of
19 section 2(a) of the Colorado Wilderness Act of 1993
20 (16 U.S.C. 1132 note; Public Law 103–77) (as
21 added by section 1732) have been adequately studied
22 for wilderness designation.

23 (2) RELEASE.—Any public land referred to in
24 paragraph (1) that is not designated as wilderness
25 by paragraph (29) of section 2(a) of the Colorado

1 Wilderness Act of 1993 (16 U.S.C. 1132 note; Pub-
2 lic Law 103–77) (as added by section 1732)—

3 (A) is no longer subject to section 603(c)
4 of the Federal Land Policy and Management
5 Act of 1976 (43 U.S.C. 1782(c)); and

6 (B) shall be managed in accordance with
7 applicable laws.

8 **SEC. 1735. ADMINISTRATIVE PROVISIONS.**

9 (a) FISH AND WILDLIFE.—Nothing in this subtitle
10 affects the jurisdiction or responsibility of the State with
11 respect to fish and wildlife in the State.

12 (b) NO BUFFER ZONES.—

13 (1) IN GENERAL.—Nothing in this subtitle es-
14 tablishes a protective perimeter or buffer zone
15 around covered land.

16 (2) ACTIVITIES OUTSIDE WILDERNESS.—The
17 fact that a nonwilderness activity or use on land out-
18 side of the covered land can be seen or heard from
19 within covered land shall not preclude the activity or
20 use outside the boundary of the covered land.

21 (c) TRIBAL RIGHTS AND USES.—

22 (1) TREATY RIGHTS.—Nothing in this subtitle
23 affects the treaty rights of any Indian Tribe, includ-
24 ing rights under the Agreement of September 13,

1 1873, ratified by the Act of April 29, 1874 (18 Stat.
2 36, chapter 136).

3 (2) TRADITIONAL TRIBAL USES.—Subject to
4 any terms and conditions as the Secretary deter-
5 mines to be necessary and in accordance with appli-
6 cable law, the Secretary shall allow for the continued
7 use of the covered land by members of Indian
8 Tribes—

9 (A) for traditional ceremonies; and

10 (B) as a source of traditional plants and
11 other materials.

12 (d) MAPS AND LEGAL DESCRIPTIONS.—

13 (1) IN GENERAL.—As soon as practicable after
14 the date of enactment of this Act, the Secretary or
15 the Secretary of the Interior, as appropriate, shall
16 file a map and a legal description of each wilderness
17 area designated by paragraphs (27) through (29) of
18 section 2(a) of the Colorado Wilderness Act of 1993
19 (16 U.S.C. 1132 note; Public Law 103–77) (as
20 added by section 1732) and the Special Management
21 Areas with—

22 (A) the Committee on Natural Resources
23 of the House of Representatives; and

24 (B) the Committee on Energy and Natural
25 Resources of the Senate.

1 (2) FORCE OF LAW.—Each map and legal de-
2 scription filed under paragraph (1) shall have the
3 same force and effect as if included in this subtitle,
4 except that the Secretary or the Secretary of the In-
5 terior, as appropriate, may correct any typographical
6 errors in the maps and legal descriptions.

7 (3) PUBLIC AVAILABILITY.—Each map and
8 legal description filed under paragraph (1) shall be
9 on file and available for public inspection in the ap-
10 propriate offices of the Bureau of Land Management
11 and the Forest Service.

12 (e) ACQUISITION OF LAND.—

13 (1) IN GENERAL.—The Secretary or the Sec-
14 retary of the Interior, as appropriate, may acquire
15 any land or interest in land within the boundaries of
16 a Special Management Area or the wilderness des-
17 ignated under paragraphs (27) through (29) of sec-
18 tion 2(a) of the Colorado Wilderness Act of 1993
19 (16 U.S.C. 1132 note; Public Law 103–77) (as
20 added by section 1732) only through exchange, do-
21 nation, or purchase from a willing seller.

22 (2) MANAGEMENT.—Any land or interest in
23 land acquired under paragraph (1) shall be incor-
24 porated into, and administered as a part of, the wil-

1 derness or Special Management Area in which the
2 land or interest in land is located.

3 (f) GRAZING.—The grazing of livestock on covered
4 land, if established before the date of enactment of this
5 Act, shall be permitted to continue subject to such reason-
6 able regulations as are considered to be necessary by the
7 Secretary with jurisdiction over the covered land, in ac-
8 cordance with—

9 (1) section 4(d)(4) of the Wilderness Act (16
10 U.S.C. 1133(d)(4)); and

11 (2) the applicable guidelines set forth in Appen-
12 dix A of the report of the Committee on Interior and
13 Insular Affairs of the House of Representatives ac-
14 companying H.R. 2570 of the 101st Congress (H.
15 Rept. 101–405) or H.R. 5487 of the 96th Congress
16 (H. Rept. 96–617).

17 (g) FIRE, INSECTS, AND DISEASES.—In accordance
18 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
19 1133(d)(1)), the Secretary with jurisdiction over a wilder-
20 ness area designated by paragraphs (27) through (29) of
21 section 2(a) of the Colorado Wilderness Act of 1993 (16
22 U.S.C. 1132 note; Public Law 103–77) (as added by sec-
23 tion 1732) may carry out any activity in the wilderness
24 area that the Secretary determines to be necessary for the
25 control of fire, insects, and diseases, subject to such terms

1 and conditions as the Secretary determines to be appro-
2 priate.

3 (h) WITHDRAWAL.—Subject to valid rights in exist-
4 ence on the date of enactment of this Act, the covered
5 land and the approximately 6,590 acres generally depicted
6 on the map entitled “Proposed Naturita Canyon Mineral
7 Withdrawal Area” and dated September 6, 2018, is with-
8 drawn from—

9 (1) entry, appropriation, and disposal under the
10 public land laws;

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

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

15 **Subtitle C—Thompson Divide**

16 **SEC. 1741. PURPOSES.**

17 The purposes of this subtitle are—

18 (1) subject to valid existing rights, to withdraw
19 certain Federal land in the Thompson Divide area
20 from mineral and other disposal laws in order to
21 protect the agricultural, ranching, wildlife, air qual-
22 ity, recreation, ecological, and scenic values of the
23 area; and

1 (2) to promote the capture of fugitive methane
2 emissions that would otherwise be emitted into the
3 atmosphere—

4 (A) to reduce methane gas emissions; and

5 (B) to provide—

6 (i) new renewable electricity supplies
7 and other beneficial uses of fugitive meth-
8 ane emissions; and

9 (ii) increased royalties for taxpayers.

10 **SEC. 1742. DEFINITIONS.**

11 In this subtitle:

12 (1) FUGITIVE METHANE EMISSIONS.—The term
13 “fugitive methane emissions” means methane gas
14 from the Federal land in Garfield, Gunnison, Delta,
15 or Pitkin County in the State, as generally depicted
16 on the pilot program map as “Fugitive Coal Mine
17 Methane Use Pilot Program Area”, that would leak
18 or be vented into the atmosphere from an active, in-
19 active, or abandoned underground coal mine.

20 (2) PILOT PROGRAM.—The term “pilot pro-
21 gram” means the Greater Thompson Divide Fugitive
22 Coal Mine Methane Use Pilot Program established
23 by section 1745(a)(1).

24 (3) PILOT PROGRAM MAP.—The term “pilot
25 program map” means the map entitled “Greater

1 Thompson Divide Fugitive Coal Mine Methane Use
2 Pilot Program Area” and dated June 17, 2019.

3 (4) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (5) THOMPSON DIVIDE LEASE.—

6 (A) IN GENERAL.—The term “Thompson
7 Divide lease” means any oil or gas lease in ef-
8 fect on the date of enactment of this Act within
9 the Thompson Divide Withdrawal and Protec-
10 tion Area.

11 (B) EXCLUSIONS.—The term “Thompson
12 Divide lease” does not include any oil or gas
13 lease that—

14 (i) is associated with a Wolf Creek
15 Storage Field development right; or

16 (ii) before the date of enactment of
17 this Act, has expired, been cancelled, or
18 otherwise terminated.

19 (6) THOMPSON DIVIDE MAP.—The term
20 “Thompson Divide map” means the map entitled
21 “Greater Thompson Divide Area Map” and dated
22 June 13, 2019.

23 (7) THOMPSON DIVIDE WITHDRAWAL AND PRO-
24 TECTION AREA.—The term “Thompson Divide With-
25 drawal and Protection Area” means the Federal

1 land and minerals generally depicted on the Thomp-
2 son Divide map as the “Thompson Divide With-
3 drawal and Protection Area”.

4 (8) WOLF CREEK STORAGE FIELD DEVELOP-
5 MENT RIGHT.—

6 (A) IN GENERAL.—The term “Wolf Creek
7 Storage Field development right” means a de-
8 velopment right for any of the Federal mineral
9 leases numbered COC 007496, COC 007497,
10 COC 007498, COC 007499, COC 007500, COC
11 007538, COC 008128, COC 015373, COC
12 0128018, COC 051645, and COC 051646, as
13 generally depicted on the Thompson Divide map
14 as “Wolf Creek Storage Agreement”.

15 (B) EXCLUSIONS.—The term “Wolf Creek
16 Storage Field development right” does not in-
17 clude any storage right or related activity with-
18 in the area described in subparagraph (A).

19 **SEC. 1743. THOMPSON DIVIDE WITHDRAWAL AND PROTEC-**
20 **TION AREA.**

21 (a) WITHDRAWAL.—Subject to valid rights in exist-
22 ence on the date of enactment of this Act, the Thompson
23 Divide Withdrawal and Protection Area is withdrawn
24 from—

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

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

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

7 (b) SURVEYS.—The exact acreage and legal descrip-
8 tion of the Thompson Divide Withdrawal and Protection
9 Area shall be determined by surveys approved by the Sec-
10 retary, in consultation with the Secretary of Agriculture.

11 (c) GRAZING.—Nothing in this title affects the ad-
12 ministration of grazing in the Thompson Divide With-
13 drawal and Protection Area.

14 **SEC. 1744. THOMPSON DIVIDE LEASE EXCHANGE.**

15 (a) IN GENERAL.—In exchange for the relinquish-
16 ment by a leaseholder of all Thompson Divide leases of
17 the leaseholder, the Secretary may issue to the leaseholder
18 credits for any bid, royalty, or rental payment due under
19 any Federal oil or gas lease on Federal land in the State,
20 in accordance with subsection (b).

21 (b) AMOUNT OF CREDITS.—

22 (1) IN GENERAL.—Subject to paragraph (2),
23 the amount of the credits issued to a leaseholder of
24 a Thompson Divide lease relinquished under sub-
25 section (a) shall—

1 (A) be equal to the sum of—

2 (i) the amount of the bonus bids paid
3 for the applicable Thompson Divide leases;

4 (ii) the amount of any rental paid for
5 the applicable Thompson Divide leases as
6 of the date on which the leaseholder sub-
7 mits to the Secretary a notice of the deci-
8 sion to relinquish the applicable Thompson
9 Divide leases; and

10 (iii) the amount of any expenses in-
11 curred by the leaseholder of the applicable
12 Thompson Divide leases in the preparation
13 of any drilling permit, sundry notice, or
14 other related submission in support of the
15 development of the applicable Thompson
16 Divide leases as of January 28, 2019, in-
17 cluding any expenses relating to the prepa-
18 ration of any analysis under the National
19 Environmental Policy Act of 1969 (42
20 U.S.C. 4321 et seq.); and

21 (B) require the approval of the Secretary.

22 (2) EXCLUSION.—The amount of a credit
23 issued under subsection (a) shall not include any ex-
24 penses paid by the leaseholder of a Thompson Divide

1 lease for legal fees or related expenses for legal work
2 with respect to a Thompson Divide lease.

3 (c) CANCELLATION.—Effective on relinquishment
4 under this section, and without any additional action by
5 the Secretary, a Thompson Divide lease—

6 (1) shall be permanently cancelled; and

7 (2) shall not be reissued.

8 (d) CONDITIONS.—

9 (1) APPLICABLE LAW.—Except as otherwise
10 provided in this section, each exchange under this
11 section shall be conducted in accordance with—

12 (A) this title; and

13 (B) other applicable laws (including regu-
14 lations).

15 (2) ACCEPTANCE OF CREDITS.—The Secretary
16 shall accept credits issued under subsection (a) in
17 the same manner as cash for the payments described
18 in that subsection.

19 (3) APPLICABILITY.—The use of a credit issued
20 under subsection (a) shall be subject to the laws (in-
21 cluding regulations) applicable to the payments de-
22 scribed in that subsection, to the extent that the
23 laws are consistent with this section.

24 (4) TREATMENT OF CREDITS.—All amounts in
25 the form of credits issued under subsection (a) ac-

1 cepted by the Secretary shall be considered to be
2 amounts received for the purposes of—

3 (A) section 35 of the Mineral Leasing Act
4 (30 U.S.C. 191); and

5 (B) section 20 of the Geothermal Steam
6 Act of 1970 (30 U.S.C. 1019).

7 (e) WOLF CREEK STORAGE FIELD DEVELOPMENT
8 RIGHTS.—

9 (1) CONVEYANCE TO SECRETARY.—As a condi-
10 tion precedent to the relinquishment of a Thompson
11 Divide lease, any leaseholder with a Wolf Creek
12 Storage Field development right shall permanently
13 relinquish, transfer, and otherwise convey to the
14 Secretary, in a form acceptable to the Secretary, all
15 Wolf Creek Storage Field development rights of the
16 leaseholder.

17 (2) LIMITATION OF TRANSFER.—An interest
18 acquired by the Secretary under paragraph (1)—

19 (A) shall be held in perpetuity; and

20 (B) shall not be—

21 (i) transferred;

22 (ii) reissued; or

23 (iii) otherwise used for mineral extrac-
24 tion.

1 **SEC. 1745. GREATER THOMPSON DIVIDE FUGITIVE COAL**
2 **MINE METHANE USE PILOT PROGRAM.**

3 (a) FUGITIVE COAL MINE METHANE USE PILOT
4 PROGRAM.—

5 (1) ESTABLISHMENT.—There is established in
6 the Bureau of Land Management a pilot program,
7 to be known as the “Greater Thompson Divide Fu-
8 gitive Coal Mine Methane Use Pilot Program”.

9 (2) PURPOSE.—The purpose of the pilot pro-
10 gram is to promote the capture, beneficial use, miti-
11 gation, and sequestration of fugitive methane emis-
12 sions—

- 13 (A) to reduce methane emissions;
14 (B) to promote economic development;
15 (C) to produce bid and royalty revenues;
16 (D) to improve air quality; and
17 (E) to improve public safety.

18 (3) PLAN.—

19 (A) IN GENERAL.—Not later than 180
20 days after the date of enactment of this Act,
21 the Secretary shall develop a plan—

- 22 (i) to complete an inventory of fugitive
23 methane emissions in accordance with sub-
24 section (b);

1 (ii) to provide for the leasing of fugi-
2 tive methane emissions in accordance with
3 subsection (c); and

4 (iii) to provide for the capping or de-
5 struction of fugitive methane emissions in
6 accordance with subsection (d).

7 (B) COORDINATION.—In developing the
8 plan under this paragraph, the Secretary shall
9 coordinate with—

10 (i) the State;

11 (ii) Garfield, Gunnison, Delta, and
12 Pitkin Counties in the State;

13 (iii) lessees of Federal coal within the
14 counties referred to in clause (ii);

15 (iv) interested institutions of higher
16 education in the State; and

17 (v) interested members of the public.

18 (b) FUGITIVE METHANE EMISSION INVENTORY.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this Act, the Secretary
21 shall complete an inventory of fugitive methane
22 emissions.

23 (2) CONDUCT.—The Secretary may conduct the
24 inventory under paragraph (1) through, or in col-
25 laboration with—

- 1 (A) the Bureau of Land Management;
2 (B) the United States Geological Survey;
3 (C) the Environmental Protection Agency;
4 (D) the United States Forest Service;
5 (E) State departments or agencies;
6 (F) Garfield, Gunnison, Delta, or Pitkin
7 County in the State;
8 (G) the Garfield County Federal Mineral
9 Lease District;
10 (H) institutions of higher education in the
11 State;
12 (I) lessees of Federal coal within a county
13 referred to in subparagraph (F);
14 (J) the National Oceanic and Atmospheric
15 Administration;
16 (K) the National Center for Atmospheric
17 Research; or
18 (L) other interested entities, including
19 members of the public.

20 (3) CONTENTS.—The inventory under para-
21 graph (1) shall include—

- 22 (A) the general location and geographic co-
23 ordinates of each vent, seep, or other source
24 producing significant fugitive methane emis-
25 sions;

1 (B) an estimate of the volume and con-
2 centration of fugitive methane emissions from
3 each source of significant fugitive methane
4 emissions, including details of measurements
5 taken and the basis for that emissions estimate;

6 (C) an estimate of the total volume of fugi-
7 tive methane emissions each year;

8 (D) relevant data and other information
9 available from—

10 (i) the Environmental Protection
11 Agency;

12 (ii) the Mine Safety and Health Ad-
13 ministration;

14 (iii) the Colorado Department of Nat-
15 ural Resources;

16 (iv) the Colorado Public Utility Com-
17 mission;

18 (v) the Colorado Department of
19 Health and Environment; and

20 (vi) the Office of Surface Mining Rec-
21 lamation and Enforcement; and

22 (E) such other information as may be use-
23 ful in advancing the purposes of the pilot pro-
24 gram.

25 (4) PUBLIC PARTICIPATION; DISCLOSURE.—

1 (A) PUBLIC PARTICIPATION.—The Sec-
2 retary shall provide opportunities for public
3 participation in the inventory under this sub-
4 section.

5 (B) AVAILABILITY.—The Secretary shall
6 make the inventory under this subsection pub-
7 licly available.

8 (C) DISCLOSURE.—Nothing in this sub-
9 section requires the Secretary to publicly re-
10 lease information that—

11 (i) poses a threat to public safety;

12 (ii) is confidential business informa-
13 tion; or

14 (iii) is otherwise protected from public
15 disclosure.

16 (5) USE.—The Secretary shall use the inven-
17 tory in carrying out—

18 (A) the leasing program under subsection
19 (c); and

20 (B) the capping or destruction of fugitive
21 methane emissions under subsection (d).

22 (c) FUGITIVE METHANE EMISSION LEASING PRO-
23 GRAM.—

24 (1) IN GENERAL.—Subject to valid existing
25 rights and in accordance with this section, not later

1 than 1 year after the date of completion of the in-
2 ventory required under subsection (b), the Secretary
3 shall carry out a program to encourage the use and
4 destruction of fugitive methane emissions.

5 (2) FUGITIVE METHANE EMISSIONS FROM COAL
6 MINES SUBJECT TO LEASE.—

7 (A) IN GENERAL.—The Secretary shall au-
8 thorize the holder of a valid existing Federal
9 coal lease for a mine that is producing fugitive
10 methane emissions to capture for use, or de-
11 stroy by flaring, the fugitive methane emissions.

12 (B) CONDITIONS.—The authority under
13 subparagraph (A) shall be subject to—

- 14 (i) valid existing rights; and
15 (ii) such terms and conditions as the
16 Secretary may require.

17 (C) LIMITATIONS.—The program carried
18 out under paragraph (1) shall only include fugi-
19 tive methane emissions that can be captured for
20 use, or destroyed by flaring, in a manner that
21 does not—

- 22 (i) endanger the safety of any coal
23 mine worker; or
24 (ii) unreasonably interfere with any
25 ongoing operation at a coal mine.

1 (D) COOPERATION.—

2 (i) IN GENERAL.—The Secretary shall
3 work cooperatively with the holders of valid
4 existing Federal coal leases for mines that
5 produce fugitive methane emissions to en-
6 courage—

7 (I) the capture of fugitive meth-
8 ane emissions for beneficial use, such
9 as generating electrical power, pro-
10 ducing usable heat, transporting the
11 methane to market, or transforming
12 the fugitive methane emissions into a
13 different marketable material; or

14 (II) if the beneficial use of the
15 fugitive methane emissions is not fea-
16 sible, the destruction of the fugitive
17 methane emissions by flaring.

18 (ii) GUIDANCE.—In furtherance of the
19 purposes of this paragraph, not later than
20 1 year after the date of enactment of this
21 Act, the Secretary shall issue guidance for
22 the implementation of Federal authorities
23 and programs to encourage the capture for
24 use, or destruction by flaring, of fugitive
25 methane emissions, while minimizing im-

1 pacts on natural resources or other public
2 interest values.

3 (E) ROYALTIES.—The Secretary shall de-
4 termine whether any fugitive methane emissions
5 used or destroyed pursuant to this paragraph
6 are subject to the payment of a royalty under
7 applicable law.

8 (3) FUGITIVE METHANE EMISSIONS FROM
9 ABANDONED COAL MINES.—

10 (A) IN GENERAL.—Except as otherwise
11 provided in this section, notwithstanding section
12 1743, subject to valid existing rights, and in ac-
13 cordance with section 21 of the Mineral Leasing
14 Act (30 U.S.C. 241) and any other applicable
15 law, the Secretary shall—

16 (i) authorize the capture for use, or
17 destruction by flaring, of fugitive methane
18 emissions from abandoned coal mines on
19 Federal land; and

20 (ii) make available for leasing such fu-
21 gitive methane emissions from abandoned
22 coal mines on Federal land as the Sec-
23 retary considers to be in the public inter-
24 est.

1 (B) SOURCE.—To the maximum extent
2 practicable, the Secretary shall offer for lease
3 each significant vent, seep, or other source of
4 fugitive methane emissions from abandoned
5 coal mines.

6 (C) BID QUALIFICATIONS.—A bid to lease
7 fugitive methane emissions under this para-
8 graph shall specify whether the prospective les-
9 see intends—

10 (i) to capture the fugitive methane
11 emissions for beneficial use, such as gener-
12 ating electrical power, producing usable
13 heat, transporting the methane to market,
14 or transforming the fugitive methane emis-
15 sions into a different marketable material;

16 (ii) to destroy the fugitive methane
17 emissions by flaring; or

18 (iii) to employ a specific combination
19 of—

20 (I) capturing the fugitive meth-
21 ane emissions for beneficial use; and

22 (II) destroying the fugitive meth-
23 ane emission by flaring.

24 (D) PRIORITY.—

1 (i) IN GENERAL.—If there is more
2 than 1 qualified bid for a lease under this
3 paragraph, the Secretary shall select the
4 bid that the Secretary determines is likely
5 to most significantly advance the public in-
6 terest.

7 (ii) CONSIDERATIONS.—In deter-
8 mining the public interest under clause (i),
9 the Secretary shall take into consider-
10 ation—

11 (I) the size of the overall de-
12 crease in the time-integrated radiative
13 forcing of the fugitive methane emis-
14 sions;

15 (II) the impacts to other natural
16 resource values, including wildlife,
17 water, and air; and

18 (III) other public interest values,
19 including scenic, economic, recreation,
20 and cultural values.

21 (E) LEASE FORM.—

22 (i) IN GENERAL.—The Secretary shall
23 develop and provide to prospective bidders
24 a lease form for leases issued under this
25 paragraph.

1 (ii) DUE DILIGENCE.—The lease form
2 developed under clause (i) shall include
3 terms and conditions requiring the leased
4 fugitive methane emissions to be put to
5 beneficial use or flared by not later than 1
6 year after the date of issuance of the lease.

7 (F) ROYALTY RATE.—The Secretary shall
8 develop a minimum bid and royalty rate for
9 leases under this paragraph to advance the pur-
10 poses of this section, to the maximum extent
11 practicable.

12 (d) SEQUESTRATION.—If, by not later than 4 years
13 after the date of enactment of this Act, any significant
14 fugitive methane emissions from abandoned coal mines on
15 Federal land are not leased under subsection (c)(3), the
16 Secretary shall, in accordance with applicable law, take all
17 reasonable measures—

18 (1) to cap those fugitive methane emissions at
19 the source in any case in which the cap will result
20 in the long-term sequestration of all or a significant
21 portion of the fugitive methane emissions; or

22 (2) if sequestration under paragraph (1) is not
23 feasible, destroy the fugitive methane emissions by
24 flaring.

1 (e) REPORT TO CONGRESS.—Not later than 4 years
2 after the date of enactment of this Act the Secretary shall
3 submit to the Committee on Energy and Natural Re-
4 sources of the Senate and the Committee on Natural Re-
5 sources of the House of Representatives a report detail-
6 ing—

7 (1) the economic and environmental impacts of
8 the pilot program, including information on in-
9 creased royalties and estimates of avoided green-
10 house gas emissions; and

11 (2) any recommendations of the Secretary on
12 whether the pilot program could be expanded geo-
13 graphically to include other significant sources of fu-
14 gitive methane emissions from coal mines.

15 **SEC. 1746. EFFECT.**

16 Except as expressly provided in this subtitle, nothing
17 in this subtitle—

18 (1) expands, diminishes, or impairs any valid
19 existing mineral leases, mineral interest, or other
20 property rights wholly or partially within the
21 Thompson Divide Withdrawal and Protection Area,
22 including access to the leases, interests, rights, or
23 land in accordance with applicable Federal, State,
24 and local laws (including regulations);

1 (2) prevents the capture of methane from any
2 active, inactive, or abandoned coal mine covered by
3 this subtitle, in accordance with applicable laws; or

4 (3) prevents access to, or the development of,
5 any new or existing coal mine or lease in Delta or
6 Gunnison County in the State.

7 **Subtitle D—Curecanti National** 8 **Recreation Area**

9 **SEC. 1751. DEFINITIONS.**

10 In this subtitle:

11 (1) MAP.—The term “map” means the map en-
12 titled “Curecanti National Recreation Area, Pro-
13 posed Boundary”, numbered 616/100,485C, and
14 dated August 11, 2016.

15 (2) NATIONAL RECREATION AREA.—The term
16 “National Recreation Area” means the Curecanti
17 National Recreation Area established by section
18 1752(a).

19 (3) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 **SEC. 1752. CURECANTI NATIONAL RECREATION AREA.**

22 (a) ESTABLISHMENT.—Effective beginning on the
23 earlier of the date on which the Secretary approves a re-
24 quest under subsection (c)(2)(B)(i)(I) and the date that
25 is 1 year after the date of enactment of this Act, there

1 shall be established as a unit of the National Park System
2 the Curecanti National Recreation Area, in accordance
3 with this title, consisting of approximately 50,667 acres
4 of land in the State, as generally depicted on the map as
5 “Curecanti National Recreation Area Proposed Bound-
6 ary”.

7 (b) AVAILABILITY OF MAP.—The map shall be on file
8 and available for public inspection in the appropriate of-
9 fices of the National Park Service.

10 (c) ADMINISTRATION.—

11 (1) IN GENERAL.—The Secretary shall admin-
12 ister the National Recreation Area in accordance
13 with—

14 (A) this subtitle; and

15 (B) the laws (including regulations) gen-
16 erally applicable to units of the National Park
17 System, including section 100101(a), chapter
18 1003, and sections 100751(a), 100752,
19 100753, and 102101 of title 54, United States
20 Code.

21 (2) DAM, POWER PLANT, AND RESERVOIR MAN-
22 AGEMENT AND OPERATIONS.—

23 (A) IN GENERAL.—Nothing in this subtitle
24 affects or interferes with the authority of the
25 Secretary—

1 (i) to operate the Uncompahgre Valley
2 Reclamation Project under the reclamation
3 laws;

4 (ii) to operate the Wayne N. Aspinall
5 Unit of the Colorado River Storage Project
6 under the Act of April 11, 1956 (com-
7 monly known as the “Colorado River Stor-
8 age Project Act”) (43 U.S.C. 620 et seq.);
9 or

10 (iii) under the Federal Water Project
11 Recreation Act (16 U.S.C. 460l–12 et
12 seq.).

13 (B) RECLAMATION LAND.—

14 (i) SUBMISSION OF REQUEST TO RE-
15 TAIN ADMINISTRATIVE JURISDICTION.—If,
16 before the date that is 1 year after the
17 date of enactment of this Act, the Commis-
18 sioner of Reclamation submits to the Sec-
19 retary a request for the Commissioner of
20 Reclamation to retain administrative juris-
21 diction over the minimum quantity of land
22 within the land identified on the map as
23 “Lands withdrawn or acquired for Bureau
24 of Reclamation projects” that the Commis-
25 sioner of Reclamation identifies as nec-

1 essary for the effective operation of Bu-
2 reau of Reclamation water facilities, the
3 Secretary may—

4 (I) approve, approve with modi-
5 fications, or disapprove the request;
6 and

7 (II) if the request is approved
8 under subclause (I), make any modi-
9 fications to the map that are nec-
10 essary to reflect that the Commis-
11 sioner of Reclamation retains manage-
12 ment authority over the minimum
13 quantity of land required to fulfill the
14 reclamation mission.

15 (ii) TRANSFER OF LAND.—

16 (I) IN GENERAL.—Administrative
17 jurisdiction over the land identified on
18 the map as “Lands withdrawn or ac-
19 quired for Bureau of Reclamation
20 projects”, as modified pursuant to
21 clause (i)(II), if applicable, shall be
22 transferred from the Commissioner of
23 Reclamation to the Director of the
24 National Park Service by not later

1 than the date that is 1 year after the
2 date of enactment of this Act.

3 (II) ACCESS TO TRANSFERRED
4 LAND.—

5 (aa) IN GENERAL.—Subject
6 to item (bb), the Commissioner
7 of Reclamation shall retain ac-
8 cess to the land transferred to
9 the Director of the National Park
10 Service under subclause (I) for
11 reclamation purposes, including
12 for the operation, maintenance,
13 and expansion or replacement of
14 facilities.

15 (bb) MEMORANDUM OF UN-
16 DERSTANDING.—The terms of
17 the access authorized under item
18 (aa) shall be determined by a
19 memorandum of understanding
20 entered into between the Com-
21 missioner of Reclamation and the
22 Director of the National Park
23 Service not later than 1 year
24 after the date of enactment of
25 this Act.

1 (3) MANAGEMENT AGREEMENTS.—

2 (A) IN GENERAL.—The Secretary may
3 enter into management agreements, or modify
4 management agreements in existence on the
5 date of enactment of this Act, relating to the
6 authority of the Director of the National Park
7 Service, the Commissioner of Reclamation, the
8 Director of the Bureau of Land Management,
9 or the Chief of the Forest Service to manage
10 Federal land within or adjacent to the boundary
11 of the National Recreation Area.

12 (B) STATE LAND.—The Secretary may
13 enter into cooperative management agreements
14 for any land administered by the State that is
15 within or adjacent to the National Recreation
16 Area, in accordance with the cooperative man-
17 agement authority under section 101703 of title
18 54, United States Code.

19 (4) RECREATIONAL ACTIVITIES.—

20 (A) AUTHORIZATION.—Except as provided
21 in subparagraph (B), the Secretary shall allow
22 boating, boating-related activities, hunting, and
23 fishing in the National Recreation Area in ac-
24 cordance with applicable Federal and State
25 laws.

1 (B) CLOSURES; DESIGNATED ZONES.—

2 (i) IN GENERAL.—The Secretary, act-
3 ing through the Superintendent of the Na-
4 tional Recreation Area, may designate
5 zones in which, and establish periods dur-
6 ing which, no boating, hunting, or fishing
7 shall be permitted in the National Recre-
8 ation Area under subparagraph (A) for
9 reasons of public safety, administration, or
10 compliance with applicable laws.

11 (ii) CONSULTATION REQUIRED.—Ex-
12 cept in the case of an emergency, any clo-
13 sure proposed by the Secretary under
14 clause (i) shall not take effect until after
15 the date on which the Superintendent of
16 the National Recreation Area consults
17 with—

18 (I) the appropriate State agency
19 responsible for hunting and fishing
20 activities; and

21 (II) the Board of County Com-
22 missioners in each county in which
23 the zone is proposed to be designated.

24 (5) LANDOWNER ASSISTANCE.—On the written
25 request of an individual that owns private land lo-

1 cated not more than 3 miles from the boundary of
2 the National Recreation Area, the Secretary may
3 work in partnership with the individual to enhance
4 the long-term conservation of natural, cultural, rec-
5 reational, and scenic resources in and around the
6 National Recreation Area—

7 (A) by acquiring all or a portion of the pri-
8 vate land or interests in private land located
9 not more than 3 miles from the boundary of the
10 National Recreation Area by purchase, ex-
11 change, or donation, in accordance with section
12 1753;

13 (B) by providing technical assistance to the
14 individual, including cooperative assistance;

15 (C) through available grant programs; and

16 (D) by supporting conservation easement
17 opportunities.

18 (6) WITHDRAWAL.—Subject to valid rights in
19 existence on the date of enactment of this Act, all
20 Federal land within the National Recreation Area is
21 withdrawn from—

22 (A) entry, appropriation, and disposal
23 under the public land laws;

24 (B) location, entry, and patent under the
25 mining laws; and

1 (C) operation of the mineral leasing, min-
2 eral materials, and geothermal leasing laws.

3 (7) GRAZING.—

4 (A) STATE LAND SUBJECT TO A STATE
5 GRAZING LEASE.—

6 (i) IN GENERAL.—If State land ac-
7 quired under this subtitle is subject to a
8 State grazing lease in effect on the date of
9 acquisition, the Secretary shall allow the
10 grazing to continue for the remainder of
11 the term of the lease, subject to the related
12 terms and conditions of user agreements,
13 including permitted stocking rates, grazing
14 fee levels, access rights, and ownership and
15 use of range improvements.

16 (ii) ACCESS.—A lessee of State land
17 may continue to use established routes
18 within the National Recreation Area to ac-
19 cess State land for purposes of admin-
20 istering the lease if the use was permitted
21 before the date of enactment of this Act,
22 subject to such terms and conditions as the
23 Secretary may require.

24 (B) STATE AND PRIVATE LAND.—The Sec-
25 retary may, in accordance with applicable laws,

1 authorize grazing on land acquired from the
2 State or private landowners under section 1753,
3 if grazing was established before the date of ac-
4 quisition.

5 (C) PRIVATE LAND.—On private land ac-
6 quired under section 1753 for the National
7 Recreation Area on which authorized grazing is
8 occurring before the date of enactment of this
9 Act, the Secretary, in consultation with the les-
10 see, may allow the continuation and renewal of
11 grazing on the land based on the terms of ac-
12 quisition or by agreement between the Secretary
13 and the lessee, subject to applicable law (includ-
14 ing regulations).

15 (D) FEDERAL LAND.—The Secretary
16 shall—

17 (i) allow, consistent with the grazing
18 leases, uses, and practices in effect as of
19 the date of enactment of this Act, the con-
20 tinuation and renewal of grazing on Fed-
21 eral land located within the boundary of
22 the National Recreation Area on which
23 grazing is allowed before the date of enact-
24 ment of this Act, unless the Secretary de-
25 termines that grazing on the Federal land

1 would present unacceptable impacts (as de-
2 fined in section 1.4.7.1 of the National
3 Park Service document entitled “Manage-
4 ment Policies 2006: The Guide to Man-
5 aging the National Park System”) to the
6 natural, cultural, recreational, and scenic
7 resource values and the character of the
8 land within the National Recreation Area;
9 and

10 (ii) retain all authorities to manage
11 grazing in the National Recreation Area.

12 (E) TERMINATION OF LEASES.—Within
13 the National Recreation Area, the Secretary
14 may—

15 (i) accept the voluntary termination of
16 a lease or permit for grazing; or

17 (ii) in the case of a lease or permit va-
18 cated for a period of 3 or more years, ter-
19 minate the lease or permit.

20 (8) WATER RIGHTS.—Nothing in this subtitle—

21 (A) affects any use or allocation in exist-
22 ence on the date of enactment of this Act of
23 any water, water right, or interest in water;

24 (B) affects any vested absolute or decreed
25 conditional water right in existence on the date

1 of enactment of this Act, including any water
2 right held by the United States;

3 (C) affects any interstate water compact in
4 existence on the date of enactment of this Act;

5 (D) shall be considered to be a relinquish-
6 ment or reduction of any water right reserved
7 or appropriated by the United States in the
8 State on or before the date of enactment of this
9 Act; or

10 (E) constitutes an express or implied Fed-
11 eral reservation of any water or water rights
12 with respect to the National Recreation Area.

13 (9) FISHING EASEMENTS.—

14 (A) IN GENERAL.—Nothing in this subtitle
15 diminishes or alters the fish and wildlife pro-
16 gram for the Aspinall Unit developed under sec-
17 tion 8 of the Act of April 11, 1956 (commonly
18 known as the “Colorado River Storage Project
19 Act”) (70 Stat. 110, chapter 203; 43 U.S.C.
20 620g), by the United States Fish and Wildlife
21 Service, the Bureau of Reclamation, and the
22 Colorado Division of Wildlife (including any
23 successor in interest to that division) that pro-
24 vides for the acquisition of public access fishing
25 easements as mitigation for the Aspinall Unit

1 (referred to in this paragraph as the “pro-
2 gram”).

3 (B) ACQUISITION OF FISHING EASE-
4 MENTS.—The Secretary shall continue to fulfill
5 the obligation of the Secretary under the pro-
6 gram to acquire 26 miles of class 1 public fish-
7 ing easements to provide to sportsmen access
8 for fishing within the Upper Gunnison Basin
9 upstream of the Aspinall Unit, subject to the
10 condition that no existing fishing access down-
11 stream of the Aspinall Unit shall be counted to-
12 ward the minimum mileage requirement under
13 the program.

14 (C) PLAN.—Not later than 1 year after
15 the date of enactment of this Act, the Secretary
16 shall develop a plan for fulfilling the obligation
17 of the Secretary described in subparagraph (B)
18 by the date that is 10 years after the date of
19 enactment of this Act.

20 (D) REPORTS.—Not later than each of 2
21 years, 5 years, and 8 years after the date of en-
22 actment of this Act, the Secretary shall submit
23 to Congress a report that describes the progress
24 made in fulfilling the obligation of the Secretary
25 described in subparagraph (B).

1 (d) TRIBAL RIGHTS AND USES.—

2 (1) TREATY RIGHTS.—Nothing in this subtitle
3 affects the treaty rights of any Indian Tribe.

4 (2) TRADITIONAL TRIBAL USES.—Subject to
5 any terms and conditions as the Secretary deter-
6 mines to be necessary and in accordance with appli-
7 cable law, the Secretary shall allow for the continued
8 use of the National Recreation Area by members of
9 Indian Tribes—

10 (A) for traditional ceremonies; and

11 (B) as a source of traditional plants and
12 other materials.

13 **SEC. 1753. ACQUISITION OF LAND; BOUNDARY MANAGE-**
14 **MENT.**

15 (a) ACQUISITION.—

16 (1) IN GENERAL.—The Secretary may acquire
17 any land or interest in land within the boundary of
18 the National Recreation Area.

19 (2) MANNER OF ACQUISITION.—

20 (A) IN GENERAL.—Subject to subpara-
21 graph (B), land described in paragraph (1) may
22 be acquired under this subsection by—

23 (i) donation;

24 (ii) purchase from willing sellers with
25 donated or appropriated funds;

1 (iii) transfer from another Federal
2 agency; or

3 (iv) exchange.

4 (B) STATE LAND.—Land or interests in
5 land owned by the State or a political subdivi-
6 sion of the State may only be acquired by pur-
7 chase, donation, or exchange.

8 (b) TRANSFER OF ADMINISTRATIVE JURISDIC-
9 TION.—

10 (1) FOREST SERVICE LAND.—

11 (A) IN GENERAL.—Administrative jurisdic-
12 tion over the approximately 2,560 acres of land
13 identified on the map as “U.S. Forest Service
14 proposed transfer to the National Park Service”
15 is transferred to the Secretary, to be adminis-
16 tered by the Director of the National Park
17 Service as part of the National Recreation
18 Area.

19 (B) BOUNDARY ADJUSTMENT.—The
20 boundary of the Gunnison National Forest shall
21 be adjusted to exclude the land transferred to
22 the Secretary under subparagraph (A).

23 (2) BUREAU OF LAND MANAGEMENT LAND.—
24 Administrative jurisdiction over the approximately
25 5,040 acres of land identified on the map as “Bu-

1 reau of Land Management proposed transfer to Na-
2 tional Park Service” is transferred from the Director
3 of the Bureau of Land Management to the Director
4 of the National Park Service, to be administered as
5 part of the National Recreation Area.

6 (3) WITHDRAWAL.—Administrative jurisdiction
7 over the land identified on the map as “Proposed for
8 transfer to the Bureau of Land Management, sub-
9 ject to the revocation of Bureau of Reclamation
10 withdrawal” shall be transferred to the Director of
11 the Bureau of Land Management on relinquishment
12 of the land by the Bureau of Reclamation and rev-
13 ocation by the Bureau of Land Management of any
14 withdrawal as may be necessary.

15 (c) POTENTIAL LAND EXCHANGE.—

16 (1) IN GENERAL.—The withdrawal for reclama-
17 tion purposes of the land identified on the map as
18 “Potential exchange lands” shall be relinquished by
19 the Commissioner of Reclamation and revoked by
20 the Director of the Bureau of Land Management
21 and the land shall be transferred to the National
22 Park Service.

23 (2) EXCHANGE; INCLUSION IN NATIONAL
24 RECREATION AREA.—On transfer of the land de-
25 scribed in paragraph (1), the transferred land—

1 (A) may be exchanged by the Secretary for
2 private land described in section 1752(c)(5)—

3 (i) subject to a conservation easement
4 remaining on the transferred land, to pro-
5 tect the scenic resources of the transferred
6 land; and

7 (ii) in accordance with the laws (in-
8 cluding regulations) and policies governing
9 National Park Service land exchanges; and

10 (B) if not exchanged under subparagraph
11 (A), shall be added to, and managed as a part
12 of, the National Recreation Area.

13 (d) ADDITION TO NATIONAL RECREATION AREA.—
14 Any land within the boundary of the National Recreation
15 Area that is acquired by the United States shall be added
16 to, and managed as a part of, the National Recreation
17 Area.

18 **SEC. 1754. GENERAL MANAGEMENT PLAN.**

19 Not later than 3 years after the date on which funds
20 are made available to carry out this subtitle, the Director
21 of the National Park Service, in consultation with the
22 Commissioner of Reclamation, shall prepare a general
23 management plan for the National Recreation Area in ac-
24 cordance with section 100502 of title 54, United States
25 Code.

1 **SEC. 1755. BOUNDARY SURVEY.**

2 The Secretary (acting through the Director of the
3 National Park Service) shall prepare a boundary survey
4 and legal description of the National Recreation Area.