

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—116th Cong., 2d Sess.

S. 3422

To amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Parks and Public Land Legacy Restoration Fund to address the maintenance backlog of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education, and to provide permanent, dedicated funding for the Land and Water Conservation Fund, 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 _____

Viz:

1 At the end, add the following:

2 **TITLE II—COLORADO OUTDOOR**
3 **RECREATION AND ECONOMY**

4 **SEC. 201. SHORT TITLE.**

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

1 **SEC. 202. DEFINITION OF STATE.**

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

4 **SEC. 203. DETERMINATION OF BUDGETARY EFFECTS.**

5 The budgetary effects of this title, for the purpose
6 of complying with the Statutory Pay-As-You-Go-Act of
7 2010, shall be determined by reference to the latest state-
8 ment titled “Budgetary Effects of PAYGO Legislation”
9 for this title, submitted for printing in the Congressional
10 Record by the Chairman of the House Budget Committee,
11 provided that such statement has been submitted prior to
12 the vote on passage.

13 **Subtitle A—Continental Divide**

14 **SEC. 211. DEFINITIONS.**

15 In this subtitle:

16 (1) COVERED AREA.—The term “covered area”
17 means any area designated as wilderness by the
18 amendments to section 2(a) of the Colorado Wilder-
19 ness Act of 1993 (16 U.S.C. 1132 note; Public Law
20 103–77) made by section 212(a).

21 (2) HISTORIC LANDSCAPE.—The term “His-
22 toric Landscape” means the Camp Hale National
23 Historic Landscape designated by section 217(a).

24 (3) RECREATION MANAGEMENT AREA.—The
25 term “Recreation Management Area” means the

1 Tenmile Recreation Management Area designated by
2 section 214(a).

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

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

8 (A) the Porcupine Gulch Wildlife Con-
9 servation Area designated by section 215(a);
10 and

11 (B) the Williams Fork Mountains Wildlife
12 Conservation Area designated by section
13 216(a).

14 **SEC. 212. COLORADO WILDERNESS ADDITIONS.**

15 (a) DESIGNATION.—Section 2(a) of the Colorado Wil-
16 derness Act of 1993 (16 U.S.C. 1132 note; Public Law
17 103–77) is amended—

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

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

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

11 “(24) HOOSIER RIDGE WILDERNESS.—Certain
12 Federal land within the White River National Forest
13 that comprises approximately 5,235 acres, as gen-
14 erally depicted as ‘Proposed Hoosier Ridge Wilder-
15 ness’ on the map entitled ‘Tenmile Proposal’ and
16 dated June 24, 2019, which shall be known as the
17 ‘Hoosier Ridge Wilderness’.

18 “(25) TENMILE WILDERNESS.—Certain Federal
19 land within the White River National Forest that
20 comprises approximately 7,624 acres, as generally
21 depicted as ‘Proposed Tenmile Wilderness’ on the
22 map entitled ‘Tenmile Proposal’ and dated June 24,
23 2019, which shall be known as the ‘Tenmile Wilder-
24 ness’.

1 “(26) EAGLES NEST WILDERNESS ADDI-
2 TIONS.—Certain Federal land within the White
3 River National Forest that comprises approximately
4 9,670 acres, as generally depicted as ‘Proposed
5 Freeman Creek Wilderness Addition’ and ‘Proposed
6 Spraddle Creek Wilderness Addition’ on the map en-
7 titled ‘Eagles Nest Wilderness Additions Proposal’
8 and dated June 24, 2019, which shall be incor-
9 porated into, and managed as part of, the Eagles
10 Nest Wilderness designated by Public Law 94–352
11 (90 Stat. 870).”.

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

17 (c) 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 may carry out any activity in
20 a covered area that the Secretary determines to be nec-
21 essary for the control of fire, insects, and diseases, subject
22 to such terms and conditions as the Secretary determines
23 to be appropriate.

24 (d) GRAZING.—The grazing of livestock on a covered
25 area, if established before the date of enactment of this

1 Act, shall be permitted to continue subject to such reason-
2 able regulations as are considered to be necessary by the
3 Secretary, in accordance with—

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

6 (2) the guidelines set forth in Appendix A of
7 the report of the Committee on Interior and Insular
8 Affairs of the House of Representatives accom-
9 panying H.R. 2570 of the 101st Congress (H. Rept.
10 101–405).

11 (e) COORDINATION.—For purposes of administering
12 the Federal land designated as wilderness by paragraph
13 (26) of section 2(a) of the Colorado Wilderness Act of
14 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as
15 added by subsection (a)(2)), the Secretary shall, as deter-
16 mined to be appropriate for the protection of watersheds,
17 coordinate the activities of the Secretary in response to
18 fires and flooding events with interested State and local
19 agencies, including operations using aircraft or mecha-
20 nized equipment.

21 **SEC. 213. WILLIAMS FORK MOUNTAINS WILDERNESS.**

22 (a) DESIGNATION.—In furtherance of the purposes of
23 the Wilderness Act (16 U.S.C. 1131 et seq.), certain Fed-
24 eral land in the White River National Forest in the State,
25 comprising approximately 8,036 acres, as generally de-

1 picted as “Proposed Williams Fork Mountains Wilder-
2 ness” on the map entitled “Williams Fork Mountains Pro-
3 posal” and dated June 24, 2019, is designated as a poten-
4 tial wilderness area.

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

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

11 (2) this section.

12 (c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

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

19 (A) the “Big Hole Allotment”; and

20 (B) the “Blue Ridge Allotment”.

21 (2) MODIFICATION OF ALLOTMENTS.—In pub-
22 lishing a determination pursuant to paragraph (1),
23 the Secretary may modify or combine the vacant al-
24 lotments referred to in that paragraph.

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

9 (d) RANGE IMPROVEMENTS.—

10 (1) IN GENERAL.—If the Secretary permits live-
11 stock grazing or other use by livestock on the poten-
12 tial wilderness area under subsection (c), the Sec-
13 retary, or a third party authorized by the Secretary,
14 may use any motorized or mechanized transport or
15 equipment for purposes of constructing or rehabili-
16 tating such range improvements as are necessary to
17 obtain appropriate livestock management objectives
18 (including habitat and watershed restoration).

19 (2) TERMINATION OF AUTHORITY.—The au-
20 thority provided by this subsection terminates on the
21 date that is 2 years after the date on which the Sec-
22 retary publishes a positive determination under sub-
23 section (c)(3).

24 (e) DESIGNATION AS WILDERNESS.—

1 (1) DESIGNATION.—The potential wilderness
2 area designated by subsection (a) shall be designated
3 as wilderness, to be known as the “Williams Fork
4 Mountains Wilderness”—

5 (A) effective not earlier than the date that
6 is 180 days after the date of enactment this
7 Act; and

8 (B) on the earliest of—

9 (i) the date on which the Secretary
10 publishes in the Federal Register a notice
11 that the construction or rehabilitation of
12 range improvements under subsection (d)
13 is complete;

14 (ii) the date described in subsection
15 (d)(2); and

16 (iii) the effective date of a determina-
17 tion of the Secretary not to authorize live-
18 stock grazing or other use by livestock
19 under subsection (c)(1).

20 (2) ADMINISTRATION.—Subject to valid existing
21 rights, the Secretary shall manage the Williams
22 Fork Mountains Wilderness in accordance with—

23 (A) the Colorado Wilderness Act of 1993
24 (16 U.S.C. 1132 note; Public Law 103–77);
25 and

1 (B) this subtitle.

2 **SEC. 214. TENMILE RECREATION MANAGEMENT AREA.**

3 (a) DESIGNATION.—Subject to valid existing rights,
4 the approximately 17,122 acres of Federal land in the
5 White River National Forest in the State, as generally de-
6 picted as “Proposed Tenmile Recreation Management
7 Area” on the map entitled “Tenmile Proposal” and dated
8 June 24, 2019, are designated as the “Tenmile Recreation
9 Management Area”.

10 (b) PURPOSES.—The purposes of the Recreation
11 Management Area are to conserve, protect, and enhance
12 for the benefit and enjoyment of present and future gen-
13 erations the recreational, scenic, watershed, habitat, and
14 ecological resources of the Recreation Management Area.

15 (c) MANAGEMENT.—

16 (1) IN GENERAL.—The Secretary shall manage
17 the Recreation Management Area—

18 (A) in a manner that conserves, protects,
19 and enhances—

20 (i) the purposes of the Recreation
21 Management Area described in subsection

22 (b); and

23 (ii) recreation opportunities, including
24 mountain biking, hiking, fishing, horseback

1 riding, snowshoeing, climbing, skiing,
2 camping, and hunting; and

3 (B) in accordance with—

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

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

9 (iii) this section.

10 (2) USES.—

11 (A) IN GENERAL.—The Secretary shall
12 only allow such uses of the Recreation Manage-
13 ment Area as the Secretary determines would
14 further the purposes described in subsection
15 (b).

16 (B) VEHICLES.—

17 (i) IN GENERAL.—Except as provided
18 in clause (iii), the use of motorized vehicles
19 in the Recreation Management Area shall
20 be limited to the roads, vehicle classes, and
21 periods authorized for motorized vehicle
22 use on the date of enactment of this Act.

23 (ii) NEW OR TEMPORARY ROADS.—
24 Except as provided in clause (iii), no new

1 or temporary road shall be constructed in
2 the Recreation Management Area.

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

5 (I) rerouting or closing an exist-
6 ing road or trail to protect natural re-
7 sources from degradation, as the Sec-
8 retary determines to be appropriate;

9 (II) authorizing the use of motor-
10 ized vehicles for administrative pur-
11 poses or roadside camping;

12 (III) constructing temporary
13 roads or permitting the use of motor-
14 ized vehicles to carry out pre- or post-
15 fire watershed protection projects;

16 (IV) authorizing the use of mo-
17 torized vehicles to carry out any activ-
18 ity described in subsection (d), (e)(1),
19 or (f); or

20 (V) responding to an emergency.

21 (C) COMMERCIAL TIMBER.—

22 (i) IN GENERAL.—Subject to clause
23 (ii), no project shall be carried out in the
24 Recreation Management Area for the pur-
25 pose of harvesting commercial timber.

1 (ii) LIMITATION.—Nothing in clause
2 (i) prevents the Secretary from harvesting
3 or selling a merchantable product that is a
4 byproduct of an activity authorized under
5 this section.

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

13 (e) WATER.—

14 (1) EFFECT ON WATER MANAGEMENT INFRA-
15 STRUCTURE.—Nothing in this section affects the
16 construction, repair, reconstruction, replacement, op-
17 eration, maintenance, or renovation within the
18 Recreation Management Area of—

19 (A) water management infrastructure in
20 existence on the date of enactment of this Act;
21 or

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

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

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

10 (1) a regional transportation project, includ-
11 ing—

12 (A) highway widening or realignment; and

13 (B) construction of multimodal transpor-
14 tation systems; or

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

18 (g) APPLICABLE LAW.—Nothing in this section af-
19 fects the designation of the Federal land within the Recre-
20 ation Management Area for purposes of—

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

22 or

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

24 (h) PERMITS.—Nothing in this section alters or lim-
25 its—

1 (1) any permit held by a ski area or other enti-
2 ty; or

3 (2) the acceptance, review, or implementation of
4 associated activities or facilities proposed or author-
5 ized by law or permit outside the boundaries of the
6 Recreation Management Area.

7 **SEC. 215. PORCUPINE GULCH WILDLIFE CONSERVATION**
8 **AREA.**

9 (a) DESIGNATION.—Subject to valid existing rights,
10 the approximately 8,287 acres of Federal land located in
11 the White River National Forest, as generally depicted as
12 “Proposed Porcupine Gulch Wildlife Conservation Area”
13 on the map entitled “Porcupine Gulch Wildlife Conserva-
14 tion Area Proposal” and dated June 24, 2019, are des-
15 igned as the “Porcupine Gulch Wildlife Conservation
16 Area” (referred to in this section as the “Wildlife Con-
17 servation Area”).

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

20 (1) to conserve and protect a wildlife migration
21 corridor over Interstate 70; and

22 (2) to conserve, protect, and enhance for the
23 benefit and enjoyment of present and future genera-
24 tions the wildlife, scenic, roadless, watershed, and

1 ecological resources of the Wildlife Conservation
2 Area.

3 (c) MANAGEMENT.—

4 (1) IN GENERAL.—The Secretary shall manage
5 the Wildlife Conservation Area—

6 (A) in a manner that conserves, protects,
7 and enhances the purposes described in sub-
8 section (b); and

9 (B) in accordance with—

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

13 (ii) any other applicable laws (includ-
14 ing regulations); and

15 (iii) this section.

16 (2) USES.—

17 (A) IN GENERAL.—The Secretary shall
18 only allow such uses of the Wildlife Conserva-
19 tion Area as the Secretary determines would
20 further the purposes described in subsection
21 (b).

22 (B) RECREATION.—The Secretary may
23 permit such recreational activities in the Wild-
24 life Conservation Area that the Secretary deter-

1 mines are consistent with the purposes de-
2 scribed in subsection (b).

3 (C) MOTORIZED VEHICLES AND MECHA-
4 NIZED TRANSPORT; NEW OR TEMPORARY
5 ROADS.—

6 (i) MOTORIZED VEHICLES AND
7 MECHANIZED TRANSPORT.—Except as pro-
8 vided in clause (iii), the use of motorized
9 vehicles and mechanized transport in the
10 Wildlife Conservation Area shall be prohib-
11 ited.

12 (ii) NEW OR TEMPORARY ROADS.—
13 Except as provided in clause (iii) and sub-
14 section (e), no new or temporary road shall
15 be constructed within the Wildlife Con-
16 servation Area.

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

19 (I) authorizing the use of motor-
20 ized vehicles or mechanized transport
21 for administrative purposes;

22 (II) constructing temporary
23 roads or permitting the use of motor-
24 ized vehicles or mechanized transport

1 to carry out pre- or post-fire water-
2 shed protection projects;

3 (III) authorizing the use of mo-
4 torized vehicles or mechanized trans-
5 port to carry out activities described
6 in subsection (d) or (e); or

7 (IV) responding to an emergency.

8 (D) COMMERCIAL TIMBER.—

9 (i) IN GENERAL.—Subject to clause
10 (ii), no project shall be carried out in the
11 Wildlife Conservation Area for the purpose
12 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 Wildlife Conservation Area, sub-
23 ject to such terms and conditions as the Secretary deter-
24 mines to be appropriate.

1 (e) REGIONAL TRANSPORTATION PROJECTS.—Noth-
2 ing in this section or section 220(e) precludes the Sec-
3 retary from authorizing, in accordance with applicable
4 laws (including regulations), the use or leasing of Federal
5 land within the Wildlife Conservation Area for—

6 (1) a regional transportation project, includ-
7 ing—

8 (A) highway widening or realignment; and

9 (B) construction of multimodal transpor-
10 tation systems; or

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

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

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

18 or

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

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

1 **SEC. 216. WILLIAMS FORK MOUNTAINS WILDLIFE CON-**
2 **SERVATION AREA.**

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

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

17 (c) MANAGEMENT.—

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

20 (A) in a manner that conserves, protects,
21 and enhances the purposes described in sub-
22 section (b); and

23 (B) in accordance with—

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

1 (ii) any other applicable laws (includ-
2 ing regulations); and

3 (iii) this section.

4 (2) USES.—

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

10 (B) MOTORIZED VEHICLES.—

11 (i) IN GENERAL.—Except as provided
12 in clause (iii), the use of motorized vehicles
13 in the Wildlife Conservation Area shall be
14 limited to designated roads and trails.

15 (ii) NEW OR TEMPORARY ROADS.—
16 Except as provided in clause (iii), no new
17 or temporary road shall be constructed in
18 the Wildlife Conservation Area.

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

21 (I) authorizing the use of motor-
22 ized vehicles for administrative pur-
23 poses;

1 (II) authorizing the use of motor-
2 ized vehicles to carry out activities de-
3 scribed in subsection (d); or

4 (III) responding to an emer-
5 gency.

6 (C) BICYCLES.—The use of bicycles in the
7 Wildlife Conservation Area shall be limited to
8 designated roads and trails.

9 (D) COMMERCIAL TIMBER.—

10 (i) IN GENERAL.—Subject to clause
11 (ii), no project shall be carried out in the
12 Wildlife Conservation Area for the purpose
13 of harvesting commercial timber.

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

19 (E) GRAZING.—The laws (including regu-
20 lations) and policies followed by the Secretary
21 in issuing and administering grazing permits or
22 leases on land under the jurisdiction of the Sec-
23 retary shall continue to apply with regard to
24 the land in the Wildlife Conservation Area, con-

1 sistent with the purposes described in sub-
2 section (b).

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

10 (e) REGIONAL TRANSPORTATION PROJECTS.—Noth-
11 ing in this section or section 220(e) precludes the Sec-
12 retary from authorizing, in accordance with applicable
13 laws (including regulations), the use or leasing of Federal
14 land within the Wildlife Conservation Area for—

15 (1) a regional transportation project, includ-
16 ing—

17 (A) highway widening or realignment; and

18 (B) construction of multimodal transpor-
19 tation systems; or

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

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

1 **SEC. 217. CAMP HALE NATIONAL HISTORIC LANDSCAPE.**

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

9 (b) PURPOSES.—The purposes of the Historic Land-
10 scape are—

11 (1) to provide for—

12 (A) the interpretation of historic events,
13 activities, structures, and artifacts of the His-
14 toric Landscape, including with respect to the
15 role of the Historic Landscape in local, na-
16 tional, and world history;

17 (B) the historic preservation of the His-
18 toric Landscape, consistent with—

19 (i) the designation of the Historic
20 Landscape as a national historic site; and

21 (ii) the other purposes of the Historic
22 Landscape;

23 (C) recreational opportunities, with an em-
24 phasis on the activities related to the historic
25 use of the Historic Landscape, including skiing,
26 snowshoeing, snowmobiling, hiking, horseback

1 riding, climbing, other road- and trail-based ac-
2 tivities, and other outdoor activities; and

3 (D) the continued environmental remedi-
4 ation and removal of unexploded ordnance at
5 the Camp Hale Formerly Used Defense Site
6 and the Camp Hale historic cantonment area;
7 and

8 (2) to conserve, protect, restore, and enhance
9 for the benefit and enjoyment of present and future
10 generations the scenic, watershed, and ecological re-
11 sources of the Historic Landscape.

12 (c) MANAGEMENT.—

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

15 (A) the purposes of the Historic Landscape
16 described in subsection (b); and

17 (B) any other applicable laws (including
18 regulations).

19 (2) MANAGEMENT PLAN.—

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

1 (B) CONTENTS.—The management plan
2 prepared under subparagraph (A) shall include
3 plans for—

4 (i) improving the interpretation of his-
5 toric events, activities, structures, and arti-
6 facts of the Historic Landscape, including
7 with respect to the role of the Historic
8 Landscape in local, national, and world
9 history;

10 (ii) conducting historic preservation
11 and veteran outreach and engagement ac-
12 tivities;

13 (iii) managing recreational opportuni-
14 ties, including the use and stewardship
15 of—

16 (I) the road and trail systems;

17 and

18 (II) dispersed recreation re-
19 sources;

20 (iv) the conservation, protection, res-
21 toration, or enhancement of the scenic, wa-
22 tershed, and ecological resources of the
23 Historic Landscape, including conducting
24 the restoration and enhancement project
25 under subsection (d); and

1 (v) environmental remediation and,
2 consistent with subsection (e)(2), the re-
3 moval of unexploded ordnance.

4 (3) EXPLOSIVE HAZARDS.—The Secretary shall
5 provide to the Secretary of the Army a notification
6 of any unexploded ordnance (as defined in section
7 101(e) of title 10, United States Code) that is dis-
8 covered in the Historic Landscape.

9 (d) CAMP HALE RESTORATION AND ENHANCEMENT
10 PROJECT.—

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

14 (A) to improve aquatic, riparian, and wet-
15 land conditions in and along the Eagle River
16 and tributaries of the Eagle River;

17 (B) to maintain or improve recreation and
18 interpretive opportunities and facilities; and

19 (C) to conserve historic values in the Camp
20 Hale area.

21 (2) COORDINATION.—In carrying out the
22 project described in paragraph (1), the Secretary
23 shall coordinate with—

24 (A) the Corps of Engineers;

1 (B) the Camp Hale-Eagle River Head-
2 waters Collaborative Group;

3 (C) the National Forest Foundation;

4 (D) the Colorado Department of Public
5 Health and Environment;

6 (E) the Colorado State Historic Preserva-
7 tion Office;

8 (F) units of local government; and

9 (G) other interested organizations and
10 members of the public.

11 (e) ENVIRONMENTAL REMEDIATION.—

12 (1) IN GENERAL.—The Secretary of the Army
13 shall continue to carry out the projects and activities
14 of the Department of the Army in existence on the
15 date of enactment of this Act relating to cleanup
16 of—

17 (A) the Camp Hale Formerly Used De-
18 fense Site; or

19 (B) the Camp Hale historic cantonment
20 area.

21 (2) REMOVAL OF UNEXPLODED ORDNANCE.—

22 (A) IN GENERAL.—The Secretary of the
23 Army may remove unexploded ordnance (as de-
24 fined in section 101(e) of title 10, United
25 States Code) from the Historic Landscape, as

1 the Secretary of the Army determines to be ap-
2 propriate in accordance with applicable law (in-
3 cluding regulations).

4 (B) ACTION ON RECEIPT OF NOTICE.—On
5 receipt from the Secretary of a notification of
6 unexploded ordnance under subsection (c)(3),
7 the Secretary of the Army may remove the
8 unexploded ordnance in accordance with—

9 (i) the program for environmental res-
10 toration of formerly used defense sites
11 under section 2701 of title 10, United
12 States Code;

13 (ii) the Comprehensive Environmental
14 Response, Compensation, and Liability Act
15 of 1980 (42 U.S.C. 9601 et seq.); and

16 (iii) any other applicable provision of
17 law (including regulations).

18 (3) EFFECT OF SUBSECTION.—Nothing in this
19 subsection modifies any obligation in existence on
20 the date of enactment of this Act relating to envi-
21 ronmental remediation or removal of any unexploded
22 ordnance located in or around the Camp Hale his-
23 toric cantonment area, the Camp Hale Formerly
24 Used Defense Site, or the Historic Landscape, in-
25 cluding such an obligation under—

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

4 (B) the Comprehensive Environmental Re-
5 sponse, Compensation, and Liability Act of
6 1980 (42 U.S.C. 9601 et seq.); or

7 (C) any other applicable provision of law
8 (including regulations).

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

11 (1) to specify—

12 (A) the activities of the Secretary relating
13 to the management of the Historic Landscape;
14 and

15 (B) the activities of the Secretary of the
16 Army relating to environmental remediation
17 and the removal of unexploded ordnance in ac-
18 cordance with subsection (e) and other applica-
19 ble laws (including regulations); and

20 (2) to require the Secretary to provide to the
21 Secretary of the Army, by not later than 1 year
22 after the date of enactment of this Act and periodi-
23 cally thereafter, as appropriate, a management plan
24 for the Historic Landscape for purposes of the re-
25 moval activities described in subsection (e).

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

2 (1) affects the jurisdiction of the State over any
3 water law, water right, or adjudication or adminis-
4 tration relating to any water resource;

5 (2) affects any water right in existence on or
6 after the date of enactment of this Act, or the exer-
7 cise of such a water right, including—

8 (A) a water right under an interstate
9 water compact (including full development of
10 any apportionment made in accordance with
11 such a compact);

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

14 (C) a water right held by the United
15 States;

16 (D) the management or operation of any
17 reservoir, including the storage, management,
18 release, or transportation of water; and

19 (E) the construction or operation of such
20 infrastructure as is determined to be necessary
21 by an individual or entity holding water rights
22 to develop and place to beneficial use those
23 rights, subject to applicable Federal, State, and
24 local law (including regulations);

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

4 (4) alters or limits—

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

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

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

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

14 (6) affects—

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

17 (B) the renewal of a permit described in
18 subparagraph (A).

19 (h) FUNDING.—

20 (1) IN GENERAL.—There is established in the
21 general fund of the Treasury a special account, to
22 be known as the “Camp Hale Historic Preservation
23 and Restoration Fund”.

24 (2) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to the Camp

1 Hale Historic Preservation and Restoration Fund
2 \$10,000,000, to be available to the Secretary until
3 expended, for activities relating to historic interpre-
4 tation, preservation, and restoration carried out in
5 and around the Historic Landscape.

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

10 **SEC. 218. WHITE RIVER NATIONAL FOREST BOUNDARY**
11 **MODIFICATION.**

12 (a) IN GENERAL.—The boundary of the White River
13 National Forest is modified to include the approximately
14 120 acres comprised of the SW¹/₄, the SE¹/₄, and the
15 NE¹/₄ of the SE¹/₄ of sec. 1, T. 2 S., R. 80 W., 6th Prin-
16 cipal Meridian, in Summit County in the State.

17 (b) LAND AND WATER CONSERVATION FUND.—For
18 purposes of section 200306 of title 54, United States
19 Code, the boundaries of the White River National Forest,
20 as modified by subsection (a), shall be considered to be
21 the boundaries of the White River National Forest as in
22 existence on January 1, 1965.

1 **SEC. 219. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL**
2 **WILDERNESS BOUNDARY ADJUSTMENT.**

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

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

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

19 **SEC. 220. ADMINISTRATIVE PROVISIONS.**

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

23 (b) NO BUFFER ZONES.—

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

- 1 (A) a covered area;
- 2 (B) a wilderness area or potential wilder-
3 ness area designated by section 213;
- 4 (C) the Recreation Management Area;
- 5 (D) a Wildlife Conservation Area; or
- 6 (E) the Historic Landscape.

7 (2) OUTSIDE ACTIVITIES.—The fact that a non-
8 wilderness activity or use on land outside of a cov-
9 ered area can be seen or heard from within the cov-
10 ered area shall not preclude the activity or use out-
11 side the boundary of the covered area.

12 (c) MAPS AND LEGAL DESCRIPTIONS.—

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

17 (A) the Committee on Natural Resources
18 of the House of Representatives; and

19 (B) the Committee on Energy and Natural
20 Resources of the Senate.

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

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

5 (d) ACQUISITION OF LAND.—

6 (1) IN GENERAL.—The Secretary may acquire
7 any land or interest in land within the boundaries of
8 an area described in subsection (b)(1) only through
9 exchange, donation, or purchase from a willing sell-
10 er.

11 (2) MANAGEMENT.—Any land or interest in
12 land acquired under paragraph (1) shall be incor-
13 porated into, and administered as a part of, the wil-
14 derness area, Recreation Management Area, Wildlife
15 Conservation Area, or Historic Landscape, as appli-
16 cable, in which the land or interest in land is lo-
17 cated.

18 (e) WITHDRAWAL.—Subject to valid rights in exist-
19 ence on the date of enactment of this Act, the areas de-
20 scribed in subsection (b)(1) are withdrawn from—

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

23 (2) location, entry, and patent under mining
24 laws; and

1 (3) operation of the mineral leasing, mineral
2 materials, and geothermal leasing laws.

3 (f) MILITARY OVERFLIGHTS.—Nothing in this sub-
4 title or an amendment made by this subtitle restricts or
5 precludes—

6 (1) any low-level overflight of military aircraft
7 over any area subject to this subtitle or an amend-
8 ment made by this subtitle, including military over-
9 flights that can be seen, heard, or detected within
10 such an area;

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

13 (3) the use or establishment of—

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

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

18 (g) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that military aviation training on Federal public
20 land in the State, including the training conducted at the
21 High-Altitude Army National Guard Aviation Training
22 Site, is critical to the national security of the United
23 States and the readiness of the Armed Forces.

1 **Subtitle B—San Juan Mountains**

2 **SEC. 221. DEFINITIONS.**

3 In this subtitle:

4 (1) COVERED LAND.—The term “covered land”
5 means—

6 (A) land designated as wilderness under
7 paragraphs (27) through (29) of section 2(a) of
8 the Colorado Wilderness Act of 1993 (16
9 U.S.C. 1132 note; Public Law 103–77) (as
10 added by section 222); and

11 (B) a Special Management Area.

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

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

16 (A) the Sheep Mountain Special Manage-
17 ment Area designated by section 223(a)(1); and

18 (B) the Liberty Bell East Special Manage-
19 ment Area designated by section 223(a)(2).

20 **SEC. 222. ADDITIONS TO NATIONAL WILDERNESS PRESER-** 21 **VATION SYSTEM.**

22 Section 2(a) of the Colorado Wilderness Act of 1993
23 (16 U.S.C. 1132 note; Public Law 103–77) (as amended
24 by section 212(a)(2)) is amended by adding at the end
25 the following:

1 “(27) LIZARD HEAD WILDERNESS ADDITION.—
2 Certain Federal land in the Grand Mesa,
3 Uncompahgre, and Gunnison National Forests com-
4 prising approximately 3,141 acres, as generally de-
5 picted on the map entitled ‘Proposed Wilson, Sun-
6 shine, Black Face and San Bernardo Additions to
7 the Lizard Head Wilderness’ and dated September
8 6, 2018, which is incorporated in, and shall be ad-
9 ministered as part of, the Lizard Head Wilderness.

10 “(28) MOUNT SNEFFELS WILDERNESS ADDI-
11 TIONS.—

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

23 “(B) WHITEHOUSE ADDITIONS.—Certain
24 Federal land in the Grand Mesa, Uncompahgre,
25 and Gunnison National Forests comprising ap-

1 proximately 12,465 acres, as generally depicted
2 on the map entitled ‘Proposed Whitehouse Ad-
3 ditions to the Mt. Sneffels Wilderness’ and
4 dated September 6, 2018, which is incorporated
5 in, and shall be administered as part of, the
6 Mount Sneffels Wilderness.

7 “(29) MCKENNA PEAK WILDERNESS.—Certain
8 Federal land in the State of Colorado comprising ap-
9 proximately 8,884 acres of Bureau of Land Manage-
10 ment land, as generally depicted on the map entitled
11 ‘Proposed McKenna Peak Wilderness Area’ and
12 dated September 18, 2018, to be known as the
13 ‘McKenna Peak Wilderness’.”.

14 **SEC. 223. SPECIAL MANAGEMENT AREAS.**

15 (a) DESIGNATION.—

16 (1) SHEEP MOUNTAIN SPECIAL MANAGEMENT
17 AREA.—The Federal land in the Grand Mesa,
18 Uncompahgre, and Gunnison and San Juan Na-
19 tional Forests in the State comprising approximately
20 21,663 acres, as generally depicted on the map enti-
21 tled “Proposed Sheep Mountain Special Manage-
22 ment Area” and dated September 19, 2018, is des-
23 ignated as the “Sheep Mountain Special Manage-
24 ment Area”.

1 (2) LIBERTY BELL EAST SPECIAL MANAGE-
2 MENT AREA.—The Federal land in the Grand Mesa,
3 Uncompahgre, and Gunnison National Forests in
4 the State comprising approximately 792 acres, as
5 generally depicted on the map entitled “Proposed
6 Liberty Bell and Last Dollar Additions to the Mt.
7 Sneffels Wilderness, Liberty Bell East Special Man-
8 agement Area” and dated September 6, 2018, is
9 designated as the “Liberty Bell East Special Man-
10 agement Area”.

11 (b) PURPOSE.—The purpose of the Special Manage-
12 ment Areas is to conserve and protect for the benefit and
13 enjoyment of present and future generations the geologi-
14 cal, cultural, archaeological, paleontological, natural, sci-
15 entific, recreational, wilderness, wildlife, riparian, histor-
16 ical, educational, and scenic resources of the Special Man-
17 agement Areas.

18 (c) MANAGEMENT.—

19 (1) IN GENERAL.—The Secretary shall manage
20 the Special Management Areas in a manner that—

21 (A) conserves, protects, and enhances the
22 resources and values of the Special Manage-
23 ment Areas described in subsection (b);

24 (B) subject to paragraph (3), maintains or
25 improves the wilderness character of the Special

1 Management Areas and the suitability of the
2 Special Management Areas for potential inclu-
3 sion in the National Wilderness Preservation
4 System; and

5 (C) is in accordance with—

6 (i) the National Forest Management
7 Act of 1976 (16 U.S.C. 1600 et seq.);

8 (ii) this subtitle; and

9 (iii) any other applicable laws.

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

12 (A) Permanent roads.

13 (B) Except as necessary to meet the min-
14 imum requirements for the administration of
15 the Federal land, to provide access for aban-
16 doned mine cleanup, and to protect public
17 health and safety—

18 (i) the use of motor vehicles, motor-
19 ized equipment, or mechanical transport
20 (other than as provided in paragraph (3));
21 and

22 (ii) the establishment of temporary
23 roads.

24 (3) AUTHORIZED ACTIVITIES.—

1 (A) IN GENERAL.—The Secretary may
2 allow any activities (including helicopter access
3 for recreation and maintenance and the com-
4 petitive running event permitted since 1992)
5 that have been authorized by permit or license
6 as of the date of enactment of this Act to con-
7 tinue within the Special Management Areas,
8 subject to such terms and conditions as the
9 Secretary may require.

10 (B) PERMITTING.—The designation of the
11 Special Management Areas by subsection (a)
12 shall not affect the issuance of permits relating
13 to the activities covered under subparagraph
14 (A) after the date of enactment of this Act.

15 (C) BICYCLES.—The Secretary may permit
16 the use of bicycles in—

17 (i) the portion of the Sheep Mountain
18 Special Management Area identified as
19 “Ophir Valley Area” on the map entitled
20 “Proposed Sheep Mountain Special Man-
21 agement Area” and dated September 19,
22 2018; and

23 (ii) the portion of the Liberty Bell
24 East Special Management Area identified
25 as “Liberty Bell Corridor” on the map en-

1 titled “Proposed Liberty Bell and Last
2 Dollar Additions to the Mt. Sneffels Wil-
3 derness, Liberty Bell East Special Manage-
4 ment Area” and dated September 6, 2018.

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

10 (1) any reference contained in that section to
11 “the lands designated as wilderness by this Act”,
12 “the Piedra, Roubideau, and Tabeguache areas iden-
13 tified in section 9 of this Act, or the Bowen Gulch
14 Protection Area or the Fossil Ridge Recreation Man-
15 agement Area identified in sections 5 and 6 of this
16 Act”, or “the areas described in sections 2, 5, 6, and
17 9 of this Act” shall be considered to be a reference
18 to “the Special Management Areas”; and

19 (2) any reference contained in that section to
20 “this Act” shall be considered to be a reference to
21 “the Colorado Outdoor Recreation and Economy
22 Act”.

1 **SEC. 224. RELEASE OF WILDERNESS STUDY AREAS.**

2 (a) DOMINGUEZ CANYON WILDERNESS STUDY
3 AREA.—Subtitle E of title II of Public Law 111–11 is
4 amended—

5 (1) by redesignating section 2408 (16 U.S.C.
6 460zzz–7) as section 2409; and

7 (2) by inserting after section 2407 (16 U.S.C.
8 460zzz–6) the following:

9 **“SEC. 2408. RELEASE.**

10 “(a) IN GENERAL.—Congress finds that, for the pur-
11 poses of section 603(c) of the Federal Land Policy and
12 Management Act of 1976 (43 U.S.C. 1782(c)), the por-
13 tions of the Dominguez Canyon Wilderness Study Area
14 not designated as wilderness by this subtitle have been
15 adequately studied for wilderness designation.

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

19 “(1) is no longer subject to section 603(c) of
20 the Federal Land Policy and Management Act of
21 1976 (43 U.S.C. 1782(c)); and

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

24 (b) MCKENNA PEAK WILDERNESS STUDY AREA.—

25 (1) IN GENERAL.—Congress finds that, for the
26 purposes of section 603(c) of the Federal Land Pol-

1 icy and Management Act of 1976 (43 U.S.C.
2 1782(e)), the portions of the McKenna Peak Wilder-
3 ness Study Area in San Miguel County in the State
4 not designated as wilderness by paragraph (29) of
5 section 2(a) of the Colorado Wilderness Act of 1993
6 (16 U.S.C. 1132 note; Public Law 103–77) (as
7 added by section 222) have been adequately studied
8 for wilderness designation.

9 (2) **RELEASE.**—Any public land referred to in
10 paragraph (1) that is not designated as wilderness
11 by paragraph (29) of section 2(a) of the Colorado
12 Wilderness Act of 1993 (16 U.S.C. 1132 note; Pub-
13 lic Law 103–77) (as added by section 222)—

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

17 (B) shall be managed in accordance with
18 applicable laws.

19 **SEC. 225. ADMINISTRATIVE PROVISIONS.**

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

23 (b) **NO BUFFER ZONES.**—

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

4 (2) ACTIVITIES OUTSIDE WILDERNESS.—The
5 fact that a nonwilderness activity or use on land out-
6 side of the covered land can be seen or heard from
7 within covered land shall not preclude the activity or
8 use outside the boundary of the covered land.

9 (c) MAPS AND LEGAL DESCRIPTIONS.—

10 (1) IN GENERAL.—As soon as practicable after
11 the date of enactment of this Act, the Secretary or
12 the Secretary of the Interior, as appropriate, shall
13 file a map and a legal description of each wilderness
14 area designated by paragraphs (27) through (29) of
15 section 2(a) of the Colorado Wilderness Act of 1993
16 (16 U.S.C. 1132 note; Public Law 103–77) (as
17 added by section 222) and the Special Management
18 Areas with—

19 (A) the Committee on Natural Resources
20 of the House of Representatives; and

21 (B) the Committee on Energy and Natural
22 Resources of the Senate.

23 (2) FORCE OF LAW.—Each map and legal de-
24 scription filed under paragraph (1) shall have the
25 same force and effect as if included in this subtitle,

1 except that the Secretary or the Secretary of the In-
2 terior, as appropriate, may correct any typographical
3 errors in the maps and legal descriptions.

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

9 (d) ACQUISITION OF LAND.—

10 (1) IN GENERAL.—The Secretary or the Sec-
11 retary of the Interior, as appropriate, may acquire
12 any land or interest in land within the boundaries of
13 a Special Management Area or the wilderness des-
14 ignated under paragraphs (27) through (29) of sec-
15 tion 2(a) of the Colorado Wilderness Act of 1993
16 (16 U.S.C. 1132 note; Public Law 103–77) (as
17 added by section 222) only through exchange, dona-
18 tion, or purchase from a willing seller.

19 (2) MANAGEMENT.—Any land or interest in
20 land acquired under paragraph (1) shall be incor-
21 porated into, and administered as a part of, the wil-
22 derness or Special Management Area in which the
23 land or interest in land is located.

24 (e) GRAZING.—The grazing of livestock on covered
25 land, if established before the date of enactment of this

1 Act, shall be permitted to continue subject to such reason-
2 able regulations as are considered to be necessary by the
3 Secretary with jurisdiction over the covered land, in ac-
4 cordance with—

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

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

13 (f) FIRE, INSECTS, AND DISEASES.—In accordance
14 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
15 1133(d)(1)), the Secretary with jurisdiction over a wilder-
16 ness area designated by paragraphs (27) through (29) of
17 section 2(a) of the Colorado Wilderness Act of 1993 (16
18 U.S.C. 1132 note; Public Law 103–77) (as added by sec-
19 tion 222) may carry out any activity in the wilderness area
20 that the Secretary determines to be necessary for the con-
21 trol of fire, insects, and diseases, subject to such terms
22 and conditions as the Secretary determines to be appro-
23 priate.

24 (g) WITHDRAWAL.—Subject to valid rights in exist-
25 ence on the date of enactment of this Act, the covered

1 land and the approximately 6,590 acres generally depicted
2 on the map entitled “Proposed Naturita Canyon Mineral
3 Withdrawal Area” and dated September 6, 2018, is with-
4 drawn from—

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

7 (2) location, entry, and patent under mining
8 laws; and

9 (3) operation of the mineral leasing, mineral
10 materials, and geothermal leasing laws.

11 **Subtitle C—Thompson Divide**

12 **SEC. 231. PURPOSES.**

13 The purposes of this subtitle are—

14 (1) subject to valid existing rights, to withdraw
15 certain Federal land in the Thompson Divide area
16 from mineral and other disposal laws; and

17 (2) to promote the capture of fugitive methane
18 emissions that would otherwise be emitted into the
19 atmosphere—

20 (A) to reduce methane gas emissions; and

21 (B) to provide—

22 (i) new renewable electricity supplies
23 and other beneficial uses of fugitive meth-
24 ane emissions; and

25 (ii) increased royalties for taxpayers.

1 **SEC. 232. DEFINITIONS.**

2 In this subtitle:

3 (1) FUGITIVE METHANE EMISSIONS.—The term
4 “fugitive methane emissions” means methane gas
5 from the Federal land in Garfield, Gunnison, Delta,
6 or Pitkin County in the State, as generally depicted
7 on the pilot program map as “Fugitive Coal Mine
8 Methane Use Pilot Program Area”, that would leak
9 or be vented into the atmosphere from an active, in-
10 active, or abandoned underground coal mine.

11 (2) PILOT PROGRAM.—The term “pilot pro-
12 gram” means the Greater Thompson Divide Fugitive
13 Coal Mine Methane Use Pilot Program established
14 by section 235(a)(1).

15 (3) PILOT PROGRAM MAP.—The term “pilot
16 program map” means the map entitled “Greater
17 Thompson Divide Fugitive Coal Mine Methane Use
18 Pilot Program Area” and dated June 17, 2019.

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

21 (5) THOMPSON DIVIDE LEASE.—

22 (A) IN GENERAL.—The term “Thompson
23 Divide lease” means any oil or gas lease in ef-
24 fect on the date of enactment of this Act within
25 the Thompson Divide Withdrawal and Protec-
26 tion Area.

1 (B) EXCLUSIONS.—The term “Thompson
2 Divide lease” does not include any oil or gas
3 lease that—

4 (i) is associated with a Wolf Creek
5 Storage Field development right; or

6 (ii) before the date of enactment of
7 this Act, has expired, been cancelled, or
8 otherwise terminated.

9 (6) THOMPSON DIVIDE MAP.—The term
10 “Thompson Divide map” means the map entitled
11 “Greater Thompson Divide Area Map” and dated
12 June 13, 2019.

13 (7) THOMPSON DIVIDE WITHDRAWAL AND PRO-
14 TECTION AREA.—The term “Thompson Divide With-
15 drawal and Protection Area” means the Federal
16 land and minerals generally depicted on the Thomp-
17 son Divide map as the “Thompson Divide With-
18 drawal and Protection Area”.

19 (8) WOLF CREEK STORAGE FIELD DEVELOP-
20 MENT RIGHT.—

21 (A) IN GENERAL.—The term “Wolf Creek
22 Storage Field development right” means a de-
23 velopment right for any of the Federal mineral
24 leases numbered COC 007496, COC 007497,
25 COC 007498, COC 007499, COC 007500, COC

1 007538, COC 008128, COC 015373, COC
2 0128018, COC 051645, and COC 051646, as
3 generally depicted on the Thompson Divide map
4 as “Wolf Creek Storage Agreement”.

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

9 **SEC. 233. THOMPSON DIVIDE WITHDRAWAL AND PROTEC-**
10 **TION AREA.**

11 (a) WITHDRAWAL.—Subject to valid existing rights,
12 the Thompson Divide Withdrawal and Protection Area is
13 withdrawn from—

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

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

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

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

24 (c) GRAZING.—The grazing of livestock on covered
25 land, if established before the date of enactment of this

1 Act, shall be allowed to continue subject to such reason-
2 able regulations as are considered to be necessary by the
3 Secretary with jurisdiction over the covered land.

4 **SEC. 234. THOMPSON DIVIDE LEASE EXCHANGE.**

5 (a) IN GENERAL.—In exchange for the relinquish-
6 ment by a leaseholder of all Thompson Divide leases of
7 the leaseholder, the Secretary may issue to the leaseholder
8 credits for any bid, royalty, or rental payment due under
9 any Federal oil or gas lease on Federal land in the State,
10 in accordance with subsection (b).

11 (b) AMOUNT OF CREDITS.—

12 (1) IN GENERAL.—Subject to paragraph (2),
13 the amount of the credits issued to a leaseholder of
14 a Thompson Divide lease relinquished under sub-
15 section (a) shall—

16 (A) be equal to the sum of—

17 (i) the amount of the bonus bids paid
18 for the applicable Thompson Divide leases;

19 (ii) the amount of any rental paid for
20 the applicable Thompson Divide leases as
21 of the date on which the leaseholder sub-
22 mits to the Secretary a notice of the deci-
23 sion to relinquish the applicable Thompson
24 Divide leases; and

1 (iii) the amount of any expenses in-
2 curred by the leaseholder of the applicable
3 Thompson Divide leases in the preparation
4 of any drilling permit, sundry notice, or
5 other related submission in support of the
6 development of the applicable Thompson
7 Divide leases as of January 28, 2019, in-
8 cluding any expenses relating to the prepa-
9 ration of any analysis under the National
10 Environmental Policy Act of 1969 (42
11 U.S.C. 4321 et seq.); and

12 (B) require the approval of the Secretary.

13 (2) EXCLUSION.—The amount of a credit
14 issued under subsection (a) shall not include any ex-
15 penses paid by the leaseholder of a Thompson Divide
16 lease for legal fees or related expenses for legal work
17 with respect to a Thompson Divide lease.

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

21 (1) shall be permanently cancelled; and

22 (2) shall not be reissued.

23 (d) CONDITIONS.—

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

4 (A) this title; and

5 (B) other applicable laws (including regu-
6 lations).

7 (2) ACCEPTANCE OF CREDITS.—The Secretary
8 shall accept credits issued under subsection (a) in
9 the same manner as cash for the payments described
10 in that subsection.

11 (3) APPLICABILITY.—The use of a credit issued
12 under subsection (a) shall be subject to the laws (in-
13 cluding regulations) applicable to the payments de-
14 scribed in that subsection, to the extent that the
15 laws are consistent with this section.

16 (4) TREATMENT OF CREDITS.—All amounts in
17 the form of credits issued under subsection (a) ac-
18 cepted by the Secretary shall be considered to be
19 amounts received for the purposes of—

20 (A) section 35 of the Mineral Leasing Act
21 (30 U.S.C. 191); and

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

24 (e) WOLF CREEK STORAGE FIELD DEVELOPMENT
25 RIGHTS.—

1 (1) CONVEYANCE TO SECRETARY.—As a condi-
2 tion precedent to the relinquishment of a Thompson
3 Divide lease, any leaseholder with a Wolf Creek
4 Storage Field development right shall permanently
5 relinquish, transfer, and otherwise convey to the
6 Secretary, in a form acceptable to the Secretary, all
7 Wolf Creek Storage Field development rights of the
8 leaseholder.

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

11 (A) shall be held in perpetuity; and

12 (B) shall not be—

13 (i) transferred;

14 (ii) reissued; or

15 (iii) otherwise used for mineral extrac-
16 tion.

17 **SEC. 235. GREATER THOMPSON DIVIDE FUGITIVE COAL**
18 **MINE METHANE USE PILOT PROGRAM.**

19 (a) FUGITIVE COAL MINE METHANE USE PILOT
20 PROGRAM.—

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

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

- 5 (A) to reduce methane emissions;
6 (B) to promote economic development;
7 (C) to produce bid and royalty revenues;
8 (D) to improve air quality; and
9 (E) to improve public safety.

10 (3) PLAN.—

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

14 (i) to complete an inventory of fugitive
15 methane emissions in accordance with sub-
16 section (b);

17 (ii) to provide for the leasing of fugi-
18 tive methane emissions in accordance with
19 subsection (c); and

20 (iii) to provide for the capping or de-
21 struction of fugitive methane emissions in
22 accordance with subsection (d).

23 (B) COORDINATION.—In developing the
24 plan under this paragraph, the Secretary shall
25 coordinate with—

- 1 (i) the State;
- 2 (ii) Garfield, Gunnison, Delta, and
3 Pitkin Counties in the State;
- 4 (iii) lessees of Federal coal within the
5 counties referred to in clause (ii);
- 6 (iv) interested institutions of higher
7 education in the State; and
- 8 (v) interested members of the public.

9 (b) FUGITIVE METHANE EMISSION INVENTORY.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this Act, the Secretary
12 shall complete an inventory of fugitive methane
13 emissions.

14 (2) CONDUCT.—The Secretary may conduct the
15 inventory under paragraph (1) through, or in col-
16 laboration with—

- 17 (A) the Bureau of Land Management;
- 18 (B) the United States Geological Survey;
- 19 (C) the Environmental Protection Agency;
- 20 (D) the United States Forest Service;
- 21 (E) State departments or agencies;
- 22 (F) Garfield, Gunnison, Delta, or Pitkin
23 County in the State;
- 24 (G) the Garfield County Federal Mineral
25 Lease District;

1 (H) institutions of higher education in the
2 State;

3 (I) lessees of Federal coal within a county
4 referred to in subparagraph (F);

5 (J) the National Oceanic and Atmospheric
6 Administration;

7 (K) the National Center for Atmospheric
8 Research; or

9 (L) other interested entities, including
10 members of the public.

11 (3) CONTENTS.—The inventory under para-
12 graph (1) shall include—

13 (A) the general location and geographic co-
14 ordinates of each vent, seep, or other source
15 producing significant fugitive methane emis-
16 sions;

17 (B) an estimate of the volume and con-
18 centration of fugitive methane emissions from
19 each source of significant fugitive methane
20 emissions, including details of measurements
21 taken and the basis for that emissions estimate;

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

24 (D) relevant data and other information
25 available from—

1 (i) the Environmental Protection
2 Agency;

3 (ii) the Mine Safety and Health Ad-
4 ministration;

5 (iii) the department of natural re-
6 sources of the State;

7 (iv) the Colorado Public Utility Com-
8 mission;

9 (v) the department of health and envi-
10 ronment of the State; and

11 (vi) the Office of Surface Mining Rec-
12 lamation and Enforcement; and

13 (E) such other information as may be use-
14 ful in advancing the purposes of the pilot pro-
15 gram.

16 (4) PUBLIC PARTICIPATION; DISCLOSURE.—

17 (A) PUBLIC PARTICIPATION.—The Sec-
18 retary shall provide opportunities for public
19 participation in the inventory under this sub-
20 section.

21 (B) AVAILABILITY.—The Secretary shall
22 make the inventory under this subsection pub-
23 licly available.

1 (C) DISCLOSURE.—Nothing in this sub-
2 section requires the Secretary to publicly re-
3 lease information that—

4 (i) poses a threat to public safety;

5 (ii) is confidential business informa-
6 tion; or

7 (iii) is otherwise protected from public
8 disclosure.

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

11 (A) the leasing program under subsection
12 (c); and

13 (B) the capping or destruction of fugitive
14 methane emissions under subsection (d).

15 (c) FUGITIVE METHANE EMISSION LEASING PRO-
16 GRAM.—

17 (1) IN GENERAL.—Subject to valid existing
18 rights and in accordance with this section, not later
19 than 1 year after the date of completion of the in-
20 ventory required under subsection (b), the Secretary
21 shall carry out a program to encourage the use and
22 destruction of fugitive methane emissions.

23 (2) FUGITIVE METHANE EMISSIONS FROM COAL
24 MINES SUBJECT TO LEASE.—

1 (A) IN GENERAL.—The Secretary shall au-
2 authorize the holder of a valid existing Federal
3 coal lease for a mine that is producing fugitive
4 methane emissions to capture for use, or de-
5 stroy by flaring, the fugitive methane emissions.

6 (B) CONDITIONS.—The authority under
7 subparagraph (A) shall be subject to—

8 (i) valid existing rights; and

9 (ii) such terms and conditions as the
10 Secretary may require.

11 (C) LIMITATIONS.—The program carried
12 out under subparagraph (A) shall only include
13 fugitive methane emissions that can be captured
14 for use, or destroyed by flaring, in a manner
15 that does not—

16 (i) endanger the safety of any coal
17 mine worker; or

18 (ii) unreasonably interfere with any
19 ongoing operation at a coal mine.

20 (D) COOPERATION.—

21 (i) IN GENERAL.—The Secretary shall
22 work cooperatively with the holders of valid
23 existing Federal coal leases for mines that
24 produce fugitive methane emissions to en-
25 courage—

1 (I) the capture of fugitive meth-
2 ane emissions for beneficial use, such
3 as generating electrical power, pro-
4 ducing usable heat, transporting the
5 methane to market, or transforming
6 the fugitive methane emissions into a
7 different marketable material; or

8 (II) if the beneficial use of the
9 fugitive methane emissions is not fea-
10 sible, the destruction of the fugitive
11 methane emissions by flaring.

12 (ii) GUIDANCE.—In furtherance of the
13 purposes of this paragraph, not later than
14 1 year after the date of enactment of this
15 Act, the Secretary shall issue guidance for
16 the implementation of Federal authorities
17 and programs to encourage the capture for
18 use, or destruction by flaring, of fugitive
19 methane emissions, while minimizing im-
20 pacts on natural resources or other public
21 interest values.

22 (E) ROYALTIES.—The Secretary shall de-
23 termine whether any fugitive methane emissions
24 used or destroyed pursuant to this paragraph

1 are subject to the payment of a royalty under
2 applicable law.

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

5 (A) IN GENERAL.—Except as otherwise
6 provided in this section, notwithstanding section
7 233, subject to valid existing rights, and in ac-
8 cordance with section 21 of the Mineral Leasing
9 Act (30 U.S.C. 241) and any other applicable
10 law, the Secretary shall—

11 (i) authorize the capture for use, or
12 destruction by flaring, of fugitive methane
13 emissions from abandoned coal mines on
14 Federal land; and

15 (ii) make available for leasing such fu-
16 gitive methane emissions from abandoned
17 coal mines on Federal land as the Sec-
18 retary considers to be in the public inter-
19 est.

20 (B) SOURCE.—To the maximum extent
21 practicable, the Secretary shall offer for lease
22 each significant vent, seep, or other source of
23 fugitive methane emissions from abandoned
24 coal mines.

1 (C) BID QUALIFICATIONS.—A bid to lease
2 fugitive methane emissions under this para-
3 graph shall specify whether the prospective les-
4 see intends—

5 (i) to capture the fugitive methane
6 emissions for beneficial use, such as gener-
7 ating electrical power, producing usable
8 heat, transporting the methane to market,
9 or transforming the fugitive methane emis-
10 sions into a different marketable material;

11 (ii) to destroy the fugitive methane
12 emissions by flaring; or

13 (iii) to employ a specific combination
14 of—

15 (I) capturing the fugitive meth-
16 ane emissions for beneficial use; and

17 (II) destroying the fugitive meth-
18 ane emission by flaring.

19 (D) PRIORITY.—

20 (i) IN GENERAL.—In any case in
21 which 2 or more qualified bids are sub-
22 mitted for a lease under this paragraph,
23 the Secretary shall select the bid that the
24 Secretary determines is likely to most sig-
25 nificantly advance the public interest.

1 (ii) CONSIDERATIONS.—In deter-
2 mining the public interest under clause (i),
3 the Secretary shall take into consider-
4 ation—

5 (I) the size of the overall de-
6 crease in the time-integrated radiative
7 forcing of the fugitive methane emis-
8 sions;

9 (II) the impacts to other natural
10 resource values, including wildlife,
11 water, and air; and

12 (III) other public interest values,
13 including scenic, economic, recreation,
14 and cultural values.

15 (E) LEASE FORM.—

16 (i) IN GENERAL.—The Secretary shall
17 develop and provide to prospective bidders
18 a lease form for leases issued under this
19 paragraph.

20 (ii) DUE DILIGENCE.—The lease form
21 developed under clause (i) shall include
22 terms and conditions requiring the leased
23 fugitive methane emissions to be put to
24 beneficial use or flared by not later than 1
25 year after the date of issuance of the lease.

1 (F) ROYALTY RATE.—The Secretary shall
2 develop a minimum bid and royalty rate for
3 leases under this paragraph to advance the pur-
4 poses of this section, to the maximum extent
5 practicable.

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

12 (1) to cap those fugitive methane emissions at
13 the source in any case in which the cap will result
14 in the long-term sequestration of all or a significant
15 portion of the fugitive methane emissions; or

16 (2) if sequestration under paragraph (1) is not
17 feasible, destroy the fugitive methane emissions by
18 flaring.

19 (e) REPORT TO CONGRESS.—Not later than 4 years
20 after the date of enactment of this Act the Secretary shall
21 submit to the Committee on Energy and Natural Re-
22 sources of the Senate and the Committee on Natural Re-
23 sources of the House of Representatives a report detail-
24 ing—

1 (1) the economic and environmental impacts of
2 the pilot program, including information on in-
3 creased royalties and estimates of avoided green-
4 house gas emissions; and

5 (2) any recommendations of the Secretary re-
6 garding whether the pilot program could be ex-
7 panded geographically to include other significant
8 sources of fugitive methane emissions from coal
9 mines.

10 **SEC. 236. EFFECT.**

11 Except as expressly provided in this subtitle, nothing
12 in this subtitle—

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

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

23 (3) prevents access to, or the development of,
24 any new or existing coal mine or lease in Delta or
25 Gunnison County in the State.

1 **Subtitle D—Curecanti National**
2 **Recreation Area**

3 **SEC. 241. DEFINITIONS.**

4 In this subtitle:

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

9 (2) **NATIONAL RECREATION AREA.**—The term
10 “National Recreation Area” means the Curecanti
11 National Recreation Area established by section
12 242(a).

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

15 **SEC. 242. CURECANTI NATIONAL RECREATION AREA.**

16 (a) **ESTABLISHMENT.**—Effective beginning on the
17 earlier of the date on which the Secretary approves a re-
18 quest under subsection (c)(2)(B)(i)(I) and the date that
19 is 1 year after the date of enactment of this Act, there
20 shall be established as a unit of the National Park System
21 the Curecanti National Recreation Area, in accordance
22 with this title, consisting of approximately 50,667 acres
23 of land in the State, as generally depicted on the map as
24 “Curecanti National Recreation Area Proposed Bound-
25 ary”.

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

4 (c) ADMINISTRATION.—

5 (1) IN GENERAL.—The Secretary shall admin-
6 ister the National Recreation Area in accordance
7 with—

8 (A) this subtitle; and

9 (B) the laws (including regulations) gen-
10 erally applicable to units of the National Park
11 System, including section 100101(a), chapter
12 1003, and sections 100751(a), 100752,
13 100753, and 102101 of title 54, United States
14 Code.

15 (2) DAM, POWER PLANT, AND RESERVOIR MAN-
16 AGEMENT AND OPERATIONS.—

17 (A) IN GENERAL.—Nothing in this subtitle
18 affects or interferes with the authority of the
19 Secretary—

20 (i) to operate the Uncompahgre Valley
21 Reclamation Project under the reclamation
22 laws;

23 (ii) to operate the Wayne N. Aspinall
24 Unit of the Colorado River Storage Project
25 under the Act of April 11, 1956 (com-

1 monly known as the “Colorado River Stor-
2 age Project Act”) (43 U.S.C. 620 et seq.);

3 or

4 (iii) under the Federal Water Project
5 Recreation Act (16 U.S.C. 4601–12 et
6 seq.).

7 (B) RECLAMATION LAND.—

8 (i) SUBMISSION OF REQUEST TO RE-
9 TAIN ADMINISTRATIVE JURISDICTION.—If,
10 before the date that is 1 year after the
11 date of enactment of this Act, the Commis-
12 sioner of Reclamation submits to the Sec-
13 retary a request for the Commissioner of
14 Reclamation to retain administrative juris-
15 diction over the minimum quantity of land
16 within the land identified on the map as
17 “Lands withdrawn or acquired for Bureau
18 of Reclamation projects” that the Commis-
19 sioner of Reclamation identifies as nec-
20 essary for the effective operation of Bu-
21 reau of Reclamation water facilities, the
22 Secretary may—

23 (I) approve, approve with modi-
24 fications, or disapprove the request;
25 and

1 (II) if the request is approved
2 under subclause (I), make any modi-
3 fications to the map that are nec-
4 essary to reflect that the Commis-
5 sioner of Reclamation retains manage-
6 ment authority over the minimum
7 quantity of land required to fulfill the
8 reclamation mission.

9 (ii) TRANSFER OF LAND.—

10 (I) IN GENERAL.—Administrative
11 jurisdiction over the land identified on
12 the map as “Lands withdrawn or ac-
13 quired for Bureau of Reclamation
14 projects”, as modified pursuant to
15 clause (i)(II), if applicable, shall be
16 transferred from the Commissioner of
17 Reclamation to the Director of the
18 National Park Service by not later
19 than the date that is 1 year after the
20 date of enactment of this Act.

21 (II) ACCESS TO TRANSFERRED
22 LAND.—

23 (aa) IN GENERAL.—Subject
24 to item (bb), the Commissioner
25 of Reclamation shall retain ac-

1 cess to the land transferred to
2 the Director of the National Park
3 Service under subclause (I) for
4 reclamation purposes, including
5 for the operation, maintenance,
6 and expansion or replacement of
7 facilities.

8 (bb) MEMORANDUM OF UN-
9 DERSTANDING.—The terms of
10 the access authorized under item
11 (aa) shall be determined by a
12 memorandum of understanding
13 entered into between the Com-
14 missioner of Reclamation and the
15 Director of the National Park
16 Service not later than 1 year
17 after the date of enactment of
18 this Act.

19 (3) MANAGEMENT AGREEMENTS.—

20 (A) IN GENERAL.—The Secretary may
21 enter into management agreements, or modify
22 management agreements in existence on the
23 date of enactment of this Act, relating to the
24 authority of the Director of the National Park
25 Service, the Commissioner of Reclamation, the

1 Director of the Bureau of Land Management,
2 or the Chief of the Forest Service to manage
3 Federal land within or adjacent to the boundary
4 of the National Recreation Area.

5 (B) STATE LAND.—The Secretary may
6 enter into cooperative management agreements
7 for any land administered by the State that is
8 within or adjacent to the National Recreation
9 Area, in accordance with the cooperative man-
10 agement authority under section 101703 of title
11 54, United States Code.

12 (4) RECREATIONAL ACTIVITIES.—

13 (A) AUTHORIZATION.—Except as provided
14 in subparagraph (B), the Secretary shall allow
15 boating, boating-related activities, hunting, and
16 fishing in the National Recreation Area in ac-
17 cordance with applicable Federal and State
18 laws.

19 (B) CLOSURES; DESIGNATED ZONES.—

20 (i) IN GENERAL.—The Secretary, act-
21 ing through the Superintendent of the Na-
22 tional Recreation Area, may designate
23 zones in which, and establish periods dur-
24 ing which, no boating, hunting, or fishing
25 shall be permitted in the National Recre-

1 ation Area under subparagraph (A) for
2 reasons of public safety, administration, or
3 compliance with applicable laws.

4 (ii) CONSULTATION REQUIRED.—Ex-
5 cept in the case of an emergency, any clo-
6 sure proposed by the Secretary under
7 clause (i) shall not take effect until after
8 the date on which the Superintendent of
9 the National Recreation Area consults
10 with—

11 (I) the appropriate State agency
12 responsible for hunting and fishing
13 activities; and

14 (II) the Board of County Com-
15 missioners in each county in which
16 the zone is proposed to be designated.

17 (5) LANDOWNER ASSISTANCE.—On the written
18 request of an individual that owns private land lo-
19 cated not more than 3 miles from the boundary of
20 the National Recreation Area, the Secretary may
21 work in partnership with the individual to enhance
22 the long-term conservation of natural, cultural, rec-
23 reational, and scenic resources in and around the
24 National Recreation Area—

1 (A) by acquiring all or a portion of the pri-
2 vate land or interests in private land located
3 not more than 3 miles from the boundary of the
4 National Recreation Area by purchase, ex-
5 change, or donation, in accordance with section
6 243;

7 (B) by providing technical assistance to the
8 individual, including cooperative assistance;

9 (C) through available grant programs; and

10 (D) by supporting conservation easement
11 opportunities.

12 (6) WITHDRAWAL.—Subject to valid existing
13 rights, all Federal land within the National Recre-
14 ation Area is withdrawn from—

15 (A) all forms of entry, appropriation, and
16 disposal under the public land laws;

17 (B) location, entry, and patent under the
18 mining laws; and

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

21 (7) GRAZING.—

22 (A) STATE LAND SUBJECT TO STATE
23 GRAZING LEASE.—

24 (i) IN GENERAL.—If State land ac-
25 quired under this subtitle is subject to a

1 State grazing lease in effect on the date of
2 acquisition, the Secretary shall allow the
3 grazing to continue for the remainder of
4 the term of the lease, subject to the related
5 terms and conditions of user agreements,
6 including permitted stocking rates, grazing
7 fee levels, access rights, and ownership and
8 use of range improvements.

9 (ii) ACCESS.—A lessee of State land
10 may continue use of established routes
11 within the National Recreation Area to ac-
12 cess State land for purposes of admin-
13 istering the lease if the use was permitted
14 before the date of enactment of this Act,
15 subject to such terms and conditions as the
16 Secretary may require.

17 (B) STATE AND PRIVATE LAND.—The Sec-
18 retary may, in accordance with applicable laws,
19 authorize grazing on land acquired from the
20 State or private landowners under section 243,
21 if grazing was established before the date of ac-
22 quisition.

23 (C) PRIVATE LAND.—On private land ac-
24 quired under section 243 for the National
25 Recreation Area on which authorized grazing is

1 occurring before the date of enactment of this
2 Act, the Secretary, in consultation with the les-
3 see, may allow the continuation and renewal of
4 grazing on the land based on the terms of ac-
5 quisition or by agreement between the Secretary
6 and the lessee, subject to applicable law (includ-
7 ing regulations).

8 (D) FEDERAL LAND.—The Secretary
9 shall—

10 (i) allow, consistent with the grazing
11 leases, uses, and practices in effect as of
12 the date of enactment of this Act, the con-
13 tinuation and renewal of grazing on Fed-
14 eral land located within the boundary of
15 the National Recreation Area on which
16 grazing is allowed before the date of enact-
17 ment of this Act, unless the Secretary de-
18 termines that grazing on the Federal land
19 would present unacceptable impacts (as de-
20 fined in section 1.4.7.1 of the National
21 Park Service document entitled “Manage-
22 ment Policies 2006: The Guide to Man-
23 aging the National Park System”) to the
24 natural, cultural, recreational, and scenic
25 resource values and the character of the

1 land within the National Recreation Area;
2 and

3 (ii) retain all authorities to manage
4 grazing in the National Recreation Area.

5 (E) TERMINATION OF LEASES.—Within
6 the National Recreation Area, the Secretary
7 may—

8 (i) accept the voluntary termination of
9 a lease or permit for grazing; or

10 (ii) in the case of a lease or permit va-
11 cated for a period of 3 or more years, ter-
12 minate the lease or permit.

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

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

17 (B) affects any vested absolute or decreed
18 conditional water right in existence on the date
19 of enactment of this Act, including any water
20 right held by the United States;

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

23 (D) authorizes or imposes any new re-
24 served Federal water right;

1 (E) shall be considered to be a relinquish-
2 ment or reduction of any water right reserved
3 or appropriated by the United States in the
4 State on or before the date of enactment of this
5 Act; or

6 (F) constitutes an express or implied res-
7 ervation by the United States of any water or
8 water right with respect to the National Recre-
9 ation Area.

10 (9) FISHING EASEMENTS.—

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

1 **SEC. 243. ACQUISITION OF LAND; BOUNDARY MANAGE-**
2 **MENT.**

3 (a) ACQUISITION.—

4 (1) IN GENERAL.—The Secretary may acquire
5 any land or interest in land within the boundary of
6 the National Recreation Area.

7 (2) MANNER OF ACQUISITION.—

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

11 (i) donation;

12 (ii) purchase from willing sellers with
13 donated or appropriated funds;

14 (iii) transfer from another Federal
15 agency; or

16 (iv) exchange.

17 (B) STATE LAND.—Land or interests in
18 land owned by the State or a political subdivi-
19 sion of the State may only be acquired by pur-
20 chase, donation, or exchange.

21 (b) TRANSFER OF ADMINISTRATIVE JURISDIC-
22 TION.—

23 (1) FOREST SERVICE LAND.—

24 (A) IN GENERAL.—Administrative jurisdic-
25 tion over the approximately 2,560 acres of land
26 identified on the map as “U.S. Forest Service

1 proposed transfer to the National Park Service”
2 is transferred to the Secretary, to be adminis-
3 tered by the Director of the National Park
4 Service as part of the National Recreation
5 Area.

6 (B) BOUNDARY ADJUSTMENT.—The
7 boundary of the Gunnison National Forest shall
8 be adjusted to exclude the land transferred to
9 the Secretary under subparagraph (A).

10 (2) BUREAU OF LAND MANAGEMENT LAND.—
11 Administrative jurisdiction over the approximately
12 5,040 acres of land identified on the map as “Bu-
13 reau of Land Management proposed transfer to Na-
14 tional Park Service” is transferred from the Director
15 of the Bureau of Land Management to the Director
16 of the National Park Service, to be administered as
17 part of the National Recreation Area.

18 (3) WITHDRAWAL.—Administrative jurisdiction
19 over the land identified on the map as “Proposed for
20 transfer to the Bureau of Land Management, sub-
21 ject to the revocation of Bureau of Reclamation
22 withdrawal” shall be transferred to the Director of
23 the Bureau of Land Management on relinquishment
24 of the land by the Bureau of Reclamation and rev-

1 location by the Bureau of Land Management of any
2 withdrawal as may be necessary.

3 (c) POTENTIAL LAND EXCHANGE.—

4 (1) IN GENERAL.—The withdrawal for reclama-
5 tion purposes of the land identified on the map as
6 “Potential exchange lands” shall be relinquished by
7 the Commissioner of Reclamation and revoked by
8 the Director of the Bureau of Land Management
9 and the land shall be transferred to the National
10 Park Service.

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

14 (A) may be exchanged by the Secretary for
15 private land described in section 242(c)(5)—

16 (i) subject to a conservation easement
17 remaining on the transferred land, to pro-
18 tect the scenic resources of the transferred
19 land; and

20 (ii) in accordance with the laws (in-
21 cluding regulations) and policies governing
22 National Park Service land exchanges; and

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

1 (d) ADDITION TO NATIONAL RECREATION AREA.—
2 Any land within the boundary of the National Recreation
3 Area that is acquired by the United States shall be added
4 to, and managed as a part of, the National Recreation
5 Area.

6 **SEC. 244. GENERAL MANAGEMENT PLAN.**

7 Not later than 3 years after the date on which funds
8 are made available to carry out this subtitle, the Director
9 of the National Park Service, in consultation with the
10 Commissioner of Reclamation, shall prepare a general
11 management plan for the National Recreation Area in ac-
12 cordance with section 100502 of title 54, United States
13 Code.

14 **SEC. 245. BOUNDARY SURVEY.**

15 The Secretary (acting through the Director of the
16 National Park Service) shall prepare a boundary survey
17 and legal description of the National Recreation Area.