

116TH CONGRESS
1ST SESSION

H. R. 823

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Colorado Outdoor Recreation and Economy Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of State.
- Sec. 3. Determination of budgetary effects.

TITLE I—CONTINENTAL DIVIDE

- Sec. 101. Definitions.
- Sec. 102. Colorado Wilderness additions.
- Sec. 103. Williams Fork Mountains Wilderness.
- Sec. 104. Tenmile Recreation Management Area.
- Sec. 105. Porcupine Gulch Wildlife Conservation Area.
- Sec. 106. Williams Fork Mountains Wildlife Conservation Area.
- Sec. 107. Camp Hale National Historic Landscape.
- Sec. 108. White River National Forest Boundary modification.
- Sec. 109. Rocky Mountain National Park Potential Wilderness Boundary adjustment.
- Sec. 110. Administrative provisions.

TITLE II—SAN JUAN MOUNTAINS

- Sec. 201. Definitions.
- Sec. 202. Additions to National Wilderness Preservation System.
- Sec. 203. Special management areas.
- Sec. 204. Release of wilderness study areas.
- Sec. 205. Administrative provisions.

TITLE III—THOMPSON DIVIDE

- Sec. 301. Purposes.
- Sec. 302. Definitions.
- Sec. 303. Thompson Divide Withdrawal and Protection Area.
- Sec. 304. Thompson Divide lease exchange.
- Sec. 305. Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program.
- Sec. 306. Effect.

TITLE IV—CURECANTI NATIONAL RECREATION AREA

- Sec. 401. Definitions.
- Sec. 402. Curecanti National Recreation Area.
- Sec. 403. Acquisition of land; boundary management.
- Sec. 404. General management plan.
- Sec. 405. Boundary survey.

1 **SEC. 2. DEFINITION OF STATE.**

2 In this Act, the term “State” means the State of Col-
3 orado.

4 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

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

13 **TITLE I—CONTINENTAL DIVIDE**

14 **SEC. 101. DEFINITIONS.**

15 In this title:

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 102(a).

21 (2) HISTORIC LANDSCAPE.—The term “His-
22 toric Landscape” means the Camp Hale National
23 Historic Landscape designated by section 107(a).

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

1 Tenmile Recreation Management Area designated by
2 section 104(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 105(a);
10 and

11 (B) the Williams Fork Mountains Wildlife
12 Conservation Area designated by section
13 106(a).

14 **SEC. 102. 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. 103. 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 and 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 title.

2 **SEC. 104. 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

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

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Recreation Management Area as the Secretary determines would further the purposes described in subsection (b).

(B) VEHICLES.—

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

(ii) NEW OR TEMPORARY ROADS.—
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. 105. 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-

mines are consistent with the purposes described in subsection (b).

(C) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.—

(i) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

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

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized 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 110(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. 106. 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 110(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. 107. 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

riding, climbing, other road- and trail-based activities, and other outdoor activities; and

(D) the continued environmental remediation and removal of unexploded ordnance at the Camp Hale Formerly Used Defense Site and the Camp Hale historic cantonment area; and

(2) to conserve, protect, restore, and enhance for the benefit and enjoyment of present and future generations the scenic, watershed, and ecological resources of the Historic Landscape.

(c) MANAGEMENT.—

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

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

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

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall prepare a management plan for the 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 United States Army Corps of En-
25 gineers;

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 hereby designated as the
9 “Sandy Treat Overlook”.

10 **SEC. 108. 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 SW 1/4, the SE 1/4, and the
15 NE 1/4 of the SE 1/4 of sec. 1, T. 2 S., R. 80 W., 6th
16 Principal 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 under subsection (a), shall be considered to
21 be the boundaries of the White River National Forest as
22 in existence on January 1, 1965.

1 **SEC. 109. 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. 110. ADMINISTRATIVE PROVISIONS.**

20 (a) FISH AND WILDLIFE.—Nothing in this title af-
21 fects 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 title or an
25 amendment made by this title establishes a protec-
26 tive perimeter or buffer zone around—

- 1 (A) a covered area;
- 2 (B) a wilderness area or potential wilder-
- 3 ness area designated by section 103;
- 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 title, ex-

24 cept 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 title
4 or an amendment made by this title restricts or pre-
5 cludes—

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

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

12 (3) the use or establishment of—

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

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

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

23 **TITLE II—SAN JUAN MOUNTAINS**

24 **SEC. 201. DEFINITIONS.**

25 In this title:

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

3 (A) land designated as wilderness under
 4 paragraphs (27) through (29) of section 2(a) of
 5 the Colorado Wilderness Act of 1993 (16
 6 U.S.C. 1132 note; Public Law 103–77) (as
 7 added by section 202); and

8 (B) a Special Management Area.

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

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

13 (A) the Sheep Mountain Special Manage-
 14 ment Area designated by section 203(a)(1); and

15 (B) the Liberty Bell East Special Manage-
 16 ment Area designated by section 203(a)(2).

17 **SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
 18 **VATION SYSTEM.**

19 Section 2(a) of the Colorado Wilderness Act of 1993
 20 (16 U.S.C. 1132 note; Public Law 103–77) (as amended
 21 by section 102(a)(2)) is amended by adding at the end
 22 the following:

23 “(27) LIZARD HEAD WILDERNESS ADDITION.—
 24 Certain Federal land in the Grand Mesa,
 25 Uncompahgre, and Gunnison National Forests com-

prising approximately 3,141 acres, as generally depicted on the map entitled ‘Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

“(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

“(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled ‘Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

“(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled ‘Proposed Whitehouse Additions to the Mt. Sneffels Wilderness’ and

1 dated September 6, 2018, which is incorporated
2 in, and shall be administered as part of, the
3 Mount Sneffels Wilderness.

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

11 **SEC. 203. SPECIAL MANAGEMENT AREAS.**

12 (a) DESIGNATION.—

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

22 (2) LIBERTY BELL EAST SPECIAL MANAGE-
23 MENT AREA.—The Federal land in the Grand Mesa,
24 Uncompahgre, and Gunnison National Forests in
25 the State comprising approximately 792 acres, as

1 generally depicted on the map entitled “Proposed
2 Liberty Bell and Last Dollar Additions to the Mt.
3 Sneffels Wilderness, Liberty Bell East Special Man-
4 agement Area” and dated September 6, 2018, is
5 designated as the “Liberty Bell East Special Man-
6 agement Area”.

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

14 (c) MANAGEMENT.—

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

17 (A) conserves, protects, and enhances the
18 resources and values of the Special Manage-
19 ment Areas described in subsection (b);

20 (B) subject to paragraph (3), maintains or
21 improves the wilderness character of the Special
22 Management Areas and the suitability of the
23 Special Management Areas for potential inclu-
24 sion in the National Wilderness Preservation
25 System; and

1 (C) is in accordance with—

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

4 (ii) this title; and

5 (iii) any other applicable laws.

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

8 (A) Permanent roads.

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

14 (i) the use of motor vehicles, motor-
15 ized equipment, or mechanical transport
16 (other than as provided in paragraph (3));
17 and

18 (ii) the establishment of temporary
19 roads.

20 (3) AUTHORIZED ACTIVITIES.—

21 (A) IN GENERAL.—The Secretary may
22 allow any activities (including helicopter access
23 for recreation and maintenance and the com-
24 petitive running event permitted since 1992)
25 that have been authorized by permit or license

1 as of the date of enactment of this Act to con-
2 tinue within the Special Management Areas,
3 subject to such terms and conditions as the
4 Secretary may require.

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

10 (C) BICYCLES.—The Secretary may permit
11 the use of bicycles in—

12 (i) the portion of the Sheep Mountain
13 Special Management Area identified as
14 “Ophir Valley Area” on the map entitled
15 “Proposed Sheep Mountain Special Man-
16 agement Area” and dated September 19,
17 2018; and

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

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

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

15 (2) any reference contained in that section to
 16 “this Act” shall be considered to be a reference to
 17 “the Colorado Outdoor Recreation and Economy
 18 Act”.

19 **SEC. 204. RELEASE OF WILDERNESS STUDY AREAS.**

20 (a) DOMINGUEZ CANYON WILDERNESS STUDY
 21 AREA.—Subtitle E of title II of Public Law 111–11 is
 22 amended—

23 (1) by redesignating section 2408 (16 U.S.C.
 24 460zzz–7) as section 2409; and

1 (2) by inserting after section 2407 (16 U.S.C.
2 460zzz-6) the following:

3 **“SEC. 2408. RELEASE.**

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

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

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

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

18 (b) MCKENNA PEAK WILDERNESS STUDY AREA.—

19 (1) IN GENERAL.—Congress finds that, for the
20 purposes of section 603(c) of the Federal Land Pol-
21 icy and Management Act of 1976 (43 U.S.C.
22 1782(c)), the portions of the McKenna Peak Wilder-
23 ness Study Area in San Miguel County in the State
24 not designated as wilderness by paragraph (29) of
25 section 2(a) of the Colorado Wilderness Act of 1993

1 (16 U.S.C. 1132 note; Public Law 103–77) (as
2 added by section 202) have been adequately studied
3 for wilderness designation.

4 (2) RELEASE.—Any public land referred to in
5 paragraph (1) that is not designated as wilderness
6 by paragraph (29) of section 2(a) of the Colorado
7 Wilderness Act of 1993 (16 U.S.C. 1132 note; Pub-
8 lic Law 103–77) (as added by section 202)—

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

12 (B) shall be managed in accordance with
13 applicable laws.

14 **SEC. 205. ADMINISTRATIVE PROVISIONS.**

15 (a) FISH AND WILDLIFE.—Nothing in this title af-
16 fects the jurisdiction or responsibility of the State with
17 respect to fish and wildlife in the State.

18 (b) NO BUFFER ZONES.—

19 (1) IN GENERAL.—Nothing in this title estab-
20 lishes a protective perimeter or buffer zone around
21 covered land.

22 (2) ACTIVITIES OUTSIDE WILDERNESS.—The
23 fact that a nonwilderness activity or use on land out-
24 side of the covered land can be seen or heard from

1 within covered land shall not preclude the activity or
2 use outside the boundary of the covered land.

3 (c) MAPS AND LEGAL DESCRIPTIONS.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary or
6 the Secretary of the Interior, as appropriate, shall
7 file a map and a legal description of each wilderness
8 area designated by paragraphs (27) through (29) of
9 section 2(a) of the Colorado Wilderness Act of 1993
10 (16 U.S.C. 1132 note; Public Law 103–77) (as
11 added by section 202) and the Special Management
12 Areas with—

13 (A) the Committee on Natural Resources
14 of the House of Representatives; and

15 (B) the Committee on Energy and Natural
16 Resources of the Senate.

17 (2) FORCE OF LAW.—Each map and legal de-
18 scription filed under paragraph (1) shall have the
19 same force and effect as if included in this title, ex-
20 cept that the Secretary or the Secretary of the Inte-
21 rior, as appropriate, may correct any typographical
22 errors in the maps and legal descriptions.

23 (3) PUBLIC AVAILABILITY.—Each map and
24 legal description filed under paragraph (1) shall be
25 on file and available for public inspection in the ap-

1 appropriate offices of the Bureau of Land Management
2 and the Forest Service.

3 (d) ACQUISITION OF LAND.—

4 (1) IN GENERAL.—The Secretary or the Sec-
5 retary of the Interior, as appropriate, may acquire
6 any land or interest in land within the boundaries of
7 a Special Management Area or the wilderness des-
8 ignated under paragraphs (27) through (29) of sec-
9 tion 2(a) of the Colorado Wilderness Act of 1993
10 (16 U.S.C. 1132 note; Public Law 103–77) (as
11 added by section 202) only through exchange, dona-
12 tion, or purchase from a willing seller.

13 (2) MANAGEMENT.—Any land or interest in
14 land acquired under paragraph (1) shall be incor-
15 porated into, and administered as a part of, the wil-
16 derness or Special Management Area in which the
17 land or interest in land is located.

18 (e) GRAZING.—The grazing of livestock on covered
19 land, if established before the date of enactment of this
20 Act, shall be permitted to continue subject to such reason-
21 able regulations as are considered to be necessary by the
22 Secretary with jurisdiction over the covered land, in ac-
23 cordance with—

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

1 (2) the applicable guidelines set forth in Appen-
2 dix A of the report of the Committee on Interior and
3 Insular Affairs of the House of Representatives ac-
4 companying H.R. 2570 of the 101st Congress (H.
5 Rept. 101–405) or H.R. 5487 of the 96th Congress
6 (H. Rept. 96–617).

7 (f) FIRE, INSECTS, AND DISEASES.—In accordance
8 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
9 1133(d)(1)), the Secretary with jurisdiction over a wilder-
10 ness area designated by paragraphs (27) through (29) of
11 section 2(a) of the Colorado Wilderness Act of 1993 (16
12 U.S.C. 1132 note; Public Law 103–77) (as added by sec-
13 tion 202) may carry out any activity in the wilderness area
14 that the Secretary determines to be necessary for the con-
15 trol of fire, insects, and diseases, subject to such terms
16 and conditions as the Secretary determines to be appro-
17 priate.

18 (g) WITHDRAWAL.—Subject to valid rights in exist-
19 ence on the date of enactment of this Act, the covered
20 land and the approximately 6,590 acres generally depicted
21 on the map entitled “Proposed Naturita Canyon Mineral
22 Withdrawal Area” and dated September 6, 2018, is with-
23 drawn from—

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

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

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

5 **TITLE III—THOMPSON DIVIDE**

6 **SEC. 301. PURPOSES.**

7 The purposes of this title are—

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

11 (2) to promote the capture of fugitive methane
12 emissions that would otherwise be emitted into the
13 atmosphere—

14 (A) to reduce methane gas emissions; and

15 (B) to provide—

16 (i) new renewable electricity supplies
17 and other beneficial uses of fugitive meth-
18 ane emissions; and

19 (ii) increased royalties for taxpayers.

20 **SEC. 302. DEFINITIONS.**

21 In this title:

22 (1) FUGITIVE METHANE EMISSIONS.—The term
23 “fugitive methane emissions” means methane gas
24 from those Federal lands in Garfield, Gunnison,
25 Delta, or Pitkin County in the State generally de-

1 picted on the pilot program map as “Fugitive Coal
2 Mine Methane Use Pilot Program Area” that would
3 leak or be vented into the atmosphere from an ac-
4 tive, inactive or abandoned underground coal mine.

5 (2) PILOT PROGRAM.—The term “pilot pro-
6 gram” means the Greater Thompson Divide Fugitive
7 Coal Mine Methane Use Pilot Program established
8 by section 305(a)(1).

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

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

15 (5) THOMPSON DIVIDE LEASE.—

16 (A) IN GENERAL.—The term “Thompson
17 Divide lease” means any oil or gas lease in ef-
18 fect on the date of enactment of this Act within
19 the Thompson Divide Withdrawal and Protec-
20 tion Area.

21 (B) EXCLUSIONS.—The term “Thompson
22 Divide lease” does not include any oil or gas
23 lease that—

24 (i) is associated with a Wolf Creek
25 Storage Field development right; or

1 (ii) before the date of enactment of
2 this Act, has expired, been cancelled, or
3 otherwise terminated.

4 (6) THOMPSON DIVIDE MAP.—The term
5 “Thompson Divide map” means the map entitled
6 “Greater Thompson Divide Area Map” and dated
7 June 13, 2019.

8 (7) THOMPSON DIVIDE WITHDRAWAL AND PRO-
9 TECTION AREA.—The term “Thompson Divide With-
10 drawal and Protection Area” means the Federal
11 land and minerals generally depicted on the Thomp-
12 son Divide map as the “Thompson Divide With-
13 drawal and Protection Area”.

14 (8) WOLF CREEK STORAGE FIELD DEVELOP-
15 MENT RIGHT.—

16 (A) IN GENERAL.—The term “Wolf Creek
17 Storage Field development right” means a de-
18 velopment right for any of the Federal mineral
19 leases numbered COC 007496, COC 007497,
20 COC 007498, COC 007499, COC 007500, COC
21 007538, COC 008128, COC 015373, COC
22 0128018, COC 051645, and COC 051646, and
23 generally depicted on the Thompson Divide map
24 as “Wolf Creek Storage Agreement”.

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

5 **SEC. 303. THOMPSON DIVIDE WITHDRAWAL AND PROTEC-**
6 **TION AREA.**

7 (a) WITHDRAWAL.—Subject to valid existing rights,
8 the Thompson Divide Withdrawal and Protection Area is
9 withdrawn from—

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

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

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

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

20 (c) GRAZING.—The grazing of livestock on covered
21 land, if established before the date of enactment of this
22 Act, shall be allowed to continue subject to such reason-
23 able regulations as are considered to be necessary by the
24 Secretary with jurisdiction over the covered land.

1 **SEC. 304. THOMPSON DIVIDE LEASE EXCHANGE.**

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

8 (b) AMOUNT OF CREDITS.—

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

13 (A) be equal to the sum of—

14 (i) the amount of the bonus bids paid
15 for the applicable Thompson Divide leases;

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

22 (iii) the amount of any expenses in-
23 curred by the leaseholder of the applicable
24 Thompson Divide leases in the preparation
25 of any drilling permit, sundry notice, or
26 other related submission in support of the

1 development of the applicable Thompson
2 Divide leases as of January 28, 2019, in-
3 cluding any expenses relating to the prepa-
4 ration of any analysis under the National
5 Environmental Policy Act of 1969 (42
6 U.S.C. 4321 et seq.); and

7 (B) require the approval of the Secretary.

8 (2) EXCLUSION.—The amount of a credit
9 issued under subsection (a) shall not include any ex-
10 penses paid by the leaseholder of a Thompson Divide
11 lease for legal fees or related expenses for legal work
12 with respect to a Thompson Divide lease.

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

16 (1) shall be permanently cancelled; and

17 (2) shall not be reissued.

18 (d) CONDITIONS.—

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

22 (A) this Act; and

23 (B) other applicable laws (including regu-
24 lations).

1 (2) ACCEPTANCE OF CREDITS.—The Secretary
2 shall accept credits issued under subsection (a) in
3 the same manner as cash for the payments described
4 in that subsection.

5 (3) APPLICABILITY.—The use of a credit issued
6 under subsection (a) shall be subject to the laws (in-
7 cluding regulations) applicable to the payments de-
8 scribed in that subsection, to the extent that the
9 laws are consistent with this section.

10 (4) TREATMENT OF CREDITS.—All amounts in
11 the form of credits issued under subsection (a) ac-
12 cepted by the Secretary shall be considered to be
13 amounts received for the purposes of—

14 (A) section 35 of the Mineral Leasing Act
15 (30 U.S.C. 191); and

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

18 (e) WOLF CREEK STORAGE FIELD DEVELOPMENT
19 RIGHTS.—

20 (1) CONVEYANCE TO SECRETARY.—As a condi-
21 tion precedent to the relinquishment of a Thompson
22 Divide lease, any leaseholder with a Wolf Creek
23 Storage Field development right shall permanently
24 relinquish, transfer, and otherwise convey to the
25 Secretary, in a form acceptable to the Secretary, all

1 Wolf Creek Storage Field development rights of the
2 leaseholder.

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

5 (A) shall be held in perpetuity; and

6 (B) shall not be—

7 (i) transferred;

8 (ii) reissued; or

9 (iii) otherwise used for mineral extrac-
10 tion.

11 **SEC. 305. GREATER THOMPSON DIVIDE FUGITIVE COAL**
12 **MINE METHANE USE PILOT PROGRAM.**

13 (a) FUGITIVE COAL MINE METHANE USE PILOT
14 PROGRAM.—

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

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

23 (A) to reduce methane emissions;

24 (B) to promote economic development;

25 (C) to produce bid and royalty revenues;

1 (D) to improve air quality; and

2 (E) to improve public safety.

3 (3) PLAN.—

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

7 (i) to complete an inventory of fugitive
8 methane emissions in accordance with sub-
9 section (b);

10 (ii) to provide for the leasing of fugi-
11 tive methane emissions in accordance with
12 subsection (c); and

13 (iii) to provide for the capping or de-
14 struction of fugitive methane emissions in
15 accordance with subsection (d).

16 (B) COORDINATION.—In developing the
17 plan under this paragraph, the Secretary shall
18 coordinate with—

19 (i) the State;

20 (ii) Garfield, Gunnison, Delta, and
21 Pitkin Counties in the State;

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

24 (iv) interested institutions of higher
25 education in the State; and

1 (v) interested members of the public.

2 (b) FUGITIVE METHANE EMISSION INVENTORY.—

3 (1) IN GENERAL.—Not later than 1 year after
4 the date of enactment of this Act, the Secretary
5 shall complete an inventory of fugitive methane
6 emissions.

7 (2) CONDUCT.—The Secretary may conduct the
8 inventory under paragraph (1) through, or in col-
9 laboration with—

10 (A) the Bureau of Land Management;

11 (B) the United States Geological Survey;

12 (C) the Environmental Protection Agency;

13 (D) the United States Forest Service;

14 (E) State departments or agencies;

15 (F) Garfield, Gunnison, Delta, or Pitkin
16 County in the State;

17 (G) the Garfield County Federal Mineral
18 Lease District;

19 (H) institutions of higher education in the
20 State;

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

23 (J) the National Oceanic and Atmospheric
24 Administration;

1 (K) the National Center for Atmospheric
2 Research; or

3 (L) other interested entities, including
4 members of the public.

5 (3) CONTENTS.—The inventory under para-
6 graph (1) shall include—

7 (A) the general location and geographic co-
8 ordinates of each vent, seep, or other source
9 producing significant fugitive methane emis-
10 sions;

11 (B) an estimate of the volume and con-
12 centration of fugitive methane emissions from
13 each source of significant fugitive methane
14 emissions including details of measurements
15 taken and the basis for that emissions estimate;

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

18 (D) relevant data and other information
19 available from—

20 (i) the Environmental Protection
21 Agency;

22 (ii) the Mine Safety and Health Ad-
23 ministration;

24 (iii) Colorado Department of Natural
25 Resources;

1 (iv) Colorado Public Utility Commis-
2 sion;

3 (v) Colorado Department of Health
4 and Environment; and

5 (vi) Office of Surface Mining Rec-
6 lamation and Enforcement; and

7 (E) such other information as may be use-
8 ful in advancing the purposes of the pilot pro-
9 gram.

10 (4) PUBLIC PARTICIPATION; DISCLOSURE.—

11 (A) PUBLIC PARTICIPATION.—The Sec-
12 retary shall provide opportunities for public
13 participation in the inventory under this sub-
14 section.

15 (B) AVAILABILITY.—The Secretary shall
16 make the inventory under this subsection pub-
17 licly available.

18 (C) DISCLOSURE.—Nothing in this sub-
19 section requires the Secretary to publicly re-
20 lease information that—

21 (i) poses a threat to public safety;

22 (ii) is confidential business informa-
23 tion; or

24 (iii) is otherwise protected from public
25 disclosure.

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

3 (A) the leasing program under subsection
4 (c); and

5 (B) the capping or destruction of fugitive
6 methane emissions under subsection (d).

7 (c) FUGITIVE METHANE EMISSION LEASING PRO-
8 GRAM.—

9 (1) IN GENERAL.—Subject to valid existing
10 rights and in accordance with this section, not later
11 than 1 year after the date of completion of the in-
12 ventory required under subsection (b), the Secretary
13 shall carry out a program to encourage the use and
14 destruction of fugitive methane emissions.

15 (2) FUGITIVE METHANE EMISSIONS FROM COAL
16 MINES SUBJECT TO LEASE.—

17 (A) IN GENERAL.—The Secretary shall au-
18 thorize the holder of a valid existing Federal
19 coal lease for a mine that is producing fugitive
20 methane emissions to capture for use, or de-
21 stroy by flaring, the fugitive methane emissions.

22 (B) CONDITIONS.—The authority under
23 subparagraph (A) shall be—

24 (i) subject to valid existing rights; and

1 (ii) subject to such terms and condi-
2 tions as the Secretary may require.

3 (C) LIMITATIONS.—The program carried
4 out under paragraph (1) shall only include fugi-
5 tive methane emissions that can be captured for
6 use, or destroyed by flaring, in a manner that
7 does not—

8 (i) endanger the safety of any coal
9 mine worker; or

10 (ii) unreasonably interfere with any
11 ongoing operation at a coal mine.

12 (D) COOPERATION.—

13 (i) IN GENERAL.—The Secretary shall
14 work cooperatively with the holders of valid
15 existing Federal coal leases for mines that
16 produce fugitive methane emissions to en-
17 courage—

18 (I) the capture of fugitive meth-
19 ane emissions for beneficial use, such
20 as generating electrical power, pro-
21 ducing usable heat, transporting the
22 methane to market, transforming the
23 fugitive methane emissions into a dif-
24 ferent marketable material; or

1 (II) if the beneficial use of the
2 fugitive methane emissions is not fea-
3 sible, the destruction of the fugitive
4 methane emissions by flaring.

5 (ii) GUIDANCE.—In furtherance of the
6 purposes of this paragraph, not later than
7 1 year after the date of enactment of this
8 Act, the Secretary shall issue guidance for
9 the implementation of Federal authorities
10 and programs to encourage the capture for
11 use, or destruction by flaring, of fugitive
12 methane emissions while minimizing im-
13 pacts on natural resources or other public
14 interest values.

15 (E) ROYALTIES.—The Secretary shall de-
16 termine whether any fugitive methane emissions
17 used or destroyed pursuant to this paragraph
18 are subject to the payment of a royalty under
19 applicable law.

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

22 (A) IN GENERAL.—Except as otherwise
23 provided in this section, notwithstanding section
24 303, subject to valid existing rights, and in ac-
25 cordance with section 21 of the Mineral Leasing

1 Act (30 U.S.C. 241) and any other applicable
2 law, the Secretary shall—

3 (i) authorize the capture for use, or
4 destruction by flaring, of fugitive methane
5 emissions from abandoned coal mines on
6 Federal land; and

7 (ii) make available for leasing such fu-
8 gitive methane emissions from abandoned
9 coal mines on Federal land as the Sec-
10 retary considers to be in the public inter-
11 est.

12 (B) SOURCE.—To the maximum extent
13 practicable, the Secretary shall offer for lease
14 each significant vent, seep, or other source of
15 fugitive methane emissions from abandoned
16 coal mines.

17 (C) BID QUALIFICATIONS.—A bid to lease
18 fugitive methane emissions under this para-
19 graph shall specify whether the prospective les-
20 see intends—

21 (i) to capture the fugitive methane
22 emissions for beneficial use, such as gener-
23 ating electrical power, producing usable
24 heat, transporting the methane to market,

transforming the fugitive methane emissions into a different marketable material;

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

(iii) to employ a specific combination of—

(I) capturing the fugitive methane emissions for beneficial use; and

(II) destroying the fugitive methane emission by flaring.

(D) PRIORITY.—

(i) IN GENERAL.—If there is more than one qualified bid for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(ii) CONSIDERATIONS.—In determining the public interest under clause (i), the Secretary shall take into consideration—

(I) the size of the overall decrease in the time-integrated radiative forcing of the fugitive methane emissions;

1 (II) the impacts to other natural
2 resource values, including wildlife,
3 water, and air; and

4 (III) other public interest values,
5 including scenic, economic, recreation,
6 and cultural values.

7 (E) LEASE FORM.—

8 (i) IN GENERAL.—The Secretary shall
9 develop and provide to prospective bidders
10 a lease form for leases issued under this
11 paragraph.

12 (ii) DUE DILIGENCE.—The lease form
13 developed under clause (i) shall include
14 terms and conditions requiring the leased
15 fugitive methane emissions to be put to
16 beneficial use or flared by not later than 1
17 year after the date of issuance of the lease.

18 (F) ROYALTY RATE.—The Secretary shall
19 develop a minimum bid and royalty rate for
20 leases under this paragraph to advance the pur-
21 poses of this section, to the maximum extent
22 practicable.

23 (d) SEQUESTRATION.—If, by not later than 4 years
24 after the date of enactment of this Act, any significant
25 fugitive methane emissions from abandoned coal mines on

1 Federal land are not leased under subsection (c)(3), the
2 Secretary shall, in accordance with applicable law, take all
3 reasonable measures—

4 (1) to cap those fugitive methane emissions at
5 the source in any case in which the cap will result
6 in the long-term sequestration of all or a significant
7 portion of the fugitive methane emissions; or

8 (2) if sequestration under paragraph (1) is not
9 feasible, destroy the fugitive methane emissions by
10 flaring.

11 (e) REPORT TO CONGRESS.—Not later than 4 years
12 after the date of enactment of this Act the Secretary shall
13 submit to the Committee on Natural Resources of the
14 House of Representatives and the Committee on Energy
15 and Natural Resources of the Senate a report detailing—

16 (1) the economic and environmental impacts of
17 the pilot program, including information on in-
18 creased royalties and estimates of avoided green-
19 house gas emissions; and

20 (2) any recommendations by the Secretary on
21 whether the pilot program could be expanded geo-
22 graphically to include other significant sources of fu-
23 gitive methane emissions from coal mines.

1 **SEC. 306. EFFECT.**

2 Except as expressly provided in this title, nothing in
3 this title—

4 (1) expands, diminishes, or impairs any valid
5 existing mineral leases, mineral interest, or other
6 property rights wholly or partially within the
7 Thompson Divide Withdrawal and Protection Area,
8 including access to the leases, interests, rights, or
9 land in accordance with applicable Federal, State,
10 and local laws (including regulations);

11 (2) prevents the capture of methane from any
12 active, inactive, or abandoned coal mine covered by
13 this title, in accordance with applicable laws; or

14 (3) prevents access to, or the development of,
15 any new or existing coal mine or lease in Delta or
16 Gunnison County in the State.

17 **TITLE IV—CURECANTI**
18 **NATIONAL RECREATION AREA**

19 **SEC. 401. DEFINITIONS.**

20 In this title:

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

25 (2) NATIONAL RECREATION AREA.—The term
26 “National Recreation Area” means the Curecanti

1 National Recreation Area established by section
2 402(a).

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

5 **SEC. 402. CURECANTI NATIONAL RECREATION AREA.**

6 (a) ESTABLISHMENT.—Effective beginning on the
7 earlier of the date on which the Secretary approves a re-
8 quest under subsection (c)(2)(B)(i)(I) and the date that
9 is 1 year after the date of enactment of this Act, there
10 shall be established as a unit of the National Park System
11 the Curecanti National Recreation Area, in accordance
12 with this Act, consisting of approximately 50,667 acres of
13 land in the State, as generally depicted on the map as
14 “Curecanti National Recreation Area Proposed Bound-
15 ary”.

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

19 (c) ADMINISTRATION.—

20 (1) IN GENERAL.—The Secretary shall admin-
21 ister the National Recreation Area in accordance
22 with—

23 (A) this title; and

24 (B) the laws (including regulations) gen-
25 erally applicable to units of the National Park

1 System, including section 100101(a), chapter
2 1003, and sections 100751(a), 100752,
3 100753, and 102101 of title 54, United States
4 Code.

5 (2) DAM, POWER PLANT, AND RESERVOIR MAN-
6 AGEMENT AND OPERATIONS.—

7 (A) IN GENERAL.—Nothing in this title af-
8 fects or interferes with the authority of the Sec-
9 retary—

10 (i) to operate the Uncompahgre Valley
11 Reclamation Project under the reclamation
12 laws;

13 (ii) to operate the Wayne N. Aspinall
14 Unit of the Colorado River Storage Project
15 under the Act of April 11, 1956 (com-
16 monly known as the “Colorado River Stor-
17 age Project Act”) (43 U.S.C. 620 et seq.);
18 or

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

22 (B) RECLAMATION LAND.—

23 (i) SUBMISSION OF REQUEST TO RE-
24 TAIN ADMINISTRATIVE JURISDICTION.—If,
25 before the date that is 1 year after the

1 date of enactment of this Act, the Commis-
2 sioner of Reclamation submits to the Sec-
3 retary a request for the Commissioner of
4 Reclamation to retain administrative juris-
5 diction over the minimum quantity of land
6 within the land identified on the map as
7 “Lands withdrawn or acquired for Bureau
8 of Reclamation projects” that the Commis-
9 sioner of Reclamation identifies as nec-
10 essary for the effective operation of Bu-
11 reau of Reclamation water facilities, the
12 Secretary may—

13 (I) approve, approve with modi-
14 fications, or disapprove the request;
15 and

16 (II) if the request is approved
17 under subclause (I), make any modi-
18 fications to the map that are nec-
19 essary to reflect that the Commis-
20 sioner of Reclamation retains manage-
21 ment authority over the minimum
22 quantity of land required to fulfill the
23 reclamation mission.

24 (ii) TRANSFER OF LAND.—

1 (I) IN GENERAL.—Administrative
2 jurisdiction over the land identified on
3 the map as “Lands withdrawn or ac-
4 quired for Bureau of Reclamation
5 projects”, as modified pursuant to
6 clause (i)(II), if applicable, shall be
7 transferred from the Commissioner of
8 Reclamation to the Director of the
9 National Park Service by not later
10 than the date that is 1 year after the
11 date of enactment of this Act.

12 (II) ACCESS TO TRANSFERRED
13 LAND.—

14 (aa) IN GENERAL.—Subject
15 to item (bb), the Commissioner
16 of Reclamation shall retain ac-
17 cess to the land transferred to
18 the Director of the National Park
19 Service under subclause (I) for
20 reclamation purposes, including
21 for the operation, maintenance,
22 and expansion or replacement of
23 facilities.

24 (bb) MEMORANDUM OF UN-
25 DERSTANDING.—The terms of

1 the access authorized under item
2 (aa) shall be determined by a
3 memorandum of understanding
4 entered into between the Com-
5 missioner of Reclamation and the
6 Director of the National Park
7 Service not later than 1 year
8 after the date of enactment of
9 this Act.

10 (3) MANAGEMENT AGREEMENTS.—

11 (A) IN GENERAL.—The Secretary may
12 enter into management agreements, or modify
13 management agreements in existence on the
14 date of enactment of this Act, relating to the
15 authority of the Director of the National Park
16 Service, the Commissioner of Reclamation, the
17 Director of the Bureau of Land Management,
18 or the Chief of the Forest Service to manage
19 Federal land within or adjacent to the boundary
20 of the National Recreation Area.

21 (B) STATE LAND.—The Secretary may
22 enter into cooperative management agreements
23 for any land administered by the State that is
24 within or adjacent to the National Recreation
25 Area, in accordance with the cooperative man-

1 agement authority under section 101703 of title
2 54, United States Code.

3 (4) RECREATIONAL ACTIVITIES.—

4 (A) AUTHORIZATION.—Except as provided
5 in subparagraph (B), the Secretary shall allow
6 boating, boating-related activities, hunting, and
7 fishing in the National Recreation Area in ac-
8 cordance with applicable Federal and State
9 laws.

10 (B) CLOSURES; DESIGNATED ZONES.—

11 (i) IN GENERAL.—The Secretary, act-
12 ing through the Superintendent of the Na-
13 tional Recreation Area, may designate
14 zones in which, and establish periods dur-
15 ing which, no boating, hunting, or fishing
16 shall be permitted in the National Recre-
17 ation Area under subparagraph (A) for
18 reasons of public safety, administration, or
19 compliance with applicable laws.

20 (ii) CONSULTATION REQUIRED.—Ex-
21 cept in the case of an emergency, any clo-
22 sure proposed by the Secretary under
23 clause (i) shall not take effect until after
24 the date on which the Superintendent of

1 the National Recreation Area consults
2 with—

3 (I) the appropriate State agency
4 responsible for hunting and fishing
5 activities; and

6 (II) the Board of County Com-
7 missioners in each county in which
8 the zone is proposed to be designated.

9 (5) LANDOWNER ASSISTANCE.—On the written
10 request of an individual that owns private land lo-
11 cated not more than 3 miles from the boundary of
12 the National Recreation Area, the Secretary may
13 work in partnership with the individual to enhance
14 the long-term conservation of natural, cultural, rec-
15 reational, and scenic resources in and around the
16 National Recreation Area—

17 (A) by acquiring all or a portion of the pri-
18 vate land or interests in private land located
19 not more than 3 miles from the boundary of the
20 National Recreation Area by purchase, ex-
21 change, or donation, in accordance with section
22 403;

23 (B) by providing technical assistance to the
24 individual, including cooperative assistance;

25 (C) through available grant programs; and

1 (D) by supporting conservation easement
2 opportunities.

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

6 (A) entry, appropriation, and disposal
7 under the public land laws;

8 (B) location, entry, and patent under the
9 mining laws; and

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

12 (7) GRAZING.—

13 (A) STATE LAND SUBJECT TO A STATE
14 GRAZING LEASE.—

15 (i) IN GENERAL.—If State land ac-
16 quired under this title is subject to a State
17 grazing lease in effect on the date of acqui-
18 sition, the Secretary shall allow the grazing
19 to continue for the remainder of the term
20 of the lease, subject to the related terms
21 and conditions of user agreements, includ-
22 ing permitted stocking rates, grazing fee
23 levels, access rights, and ownership and
24 use of range improvements.

1 (ii) ACCESS.—A lessee of State land
2 may continue its use of established routes
3 within the National Recreation Area to ac-
4 cess State land for purposes of admin-
5 istering the lease if the use was permitted
6 before the date of enactment of this Act,
7 subject to such terms and conditions as the
8 Secretary may require.

9 (B) STATE AND PRIVATE LAND.—The Sec-
10 retary may, in accordance with applicable laws,
11 authorize grazing on land acquired from the
12 State or private landowners under section 403,
13 if grazing was established before the date of ac-
14 quisition.

15 (C) PRIVATE LAND.—On private land ac-
16 quired under section 403 for the National
17 Recreation Area on which authorized grazing is
18 occurring before the date of enactment of this
19 Act, the Secretary, in consultation with the les-
20 see, may allow the continuation and renewal of
21 grazing on the land based on the terms of ac-
22 quisition or by agreement between the Secretary
23 and the lessee, subject to applicable law (includ-
24 ing regulations).

1 (D) FEDERAL LAND.—The Secretary
2 shall—

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

21 (ii) retain all authorities to manage
22 grazing in the National Recreation Area.

23 (E) TERMINATION OF LEASES.—Within
24 the National Recreation Area, the Secretary
25 may—

1 (i) accept the voluntary termination of
2 a lease or permit for grazing; or

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

6 (8) WATER RIGHTS.—Nothing in this title—

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

10 (B) affects any vested absolute or decreed
11 conditional water right in existence on the date
12 of enactment of this Act, including any water
13 right held by the United States;

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

16 (D) authorizes or imposes any new re-
17 served Federal water right;

18 (E) shall be considered to be a relinquish-
19 ment or reduction of any water right reserved
20 or appropriated by the United States in the
21 State on or before the date of enactment of this
22 Act; or

23 (F) constitutes an express or implied Fed-
24 eral reservation of any water or water rights
25 with respect to the National Recreation area.

1 (9) FISHING EASEMENTS.—

2 (A) IN GENERAL.—Nothing in this title di-
3 minishes or alters the fish and wildlife program
4 for the Aspinall Unit developed under section 8
5 of the Act of April 11, 1956 (commonly known
6 as the “Colorado River Storage Project Act”)
7 (70 Stat. 110, chapter 203; 43 U.S.C. 620g),
8 by the United States Fish and Wildlife Service,
9 the Bureau of Reclamation, and the Colorado
10 Division of Wildlife (including any successor in
11 interest to that division) that provides for the
12 acquisition of public access fishing easements as
13 mitigation for the Aspinall Unit (referred to in
14 this paragraph as the “program”).

15 (B) ACQUISITION OF FISHING EASE-
16 MENTS.—The Secretary shall continue to fulfill
17 the obligation of the Secretary under the pro-
18 gram to acquire 26 miles of class 1 public fish-
19 ing easements to provide to sportsmen access
20 for fishing within the Upper Gunnison Basin
21 upstream of the Aspinall Unit, subject to the
22 condition that no existing fishing access down-
23 stream of the Aspinall Unit shall be counted to-
24 ward the minimum mileage requirement under
25 the program.

1 (C) PLAN.—Not later than 1 year after
2 the date of enactment of this Act, the Secretary
3 shall—

4 (i) develop a plan for fulfilling the ob-
5 ligation of the Secretary described in sub-
6 paragraph (B); and

7 (ii) submit to Congress a report
8 that—

9 (I) includes the plan developed
10 under clause (i); and

11 (II) describes any progress made
12 in the acquisition of public access
13 fishing easements as mitigation for
14 the Aspinnall Unit under the program.

15 **SEC. 403. ACQUISITION OF LAND; BOUNDARY MANAGE-**
16 **MENT.**

17 (a) ACQUISITION.—

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

21 (2) MANNER OF ACQUISITION.—

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

25 (i) donation;

- 1 (ii) purchase from willing sellers with
2 donated or appropriated funds;
3 (iii) transfer from another Federal
4 agency; or
5 (iv) exchange.

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

10 (b) TRANSFER OF ADMINISTRATIVE JURISDIC-
11 TION.—

12 (1) FOREST SERVICE LAND.—

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

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

1 (2) BUREAU OF LAND MANAGEMENT LAND.—
2 Administrative jurisdiction over the approximately
3 5,040 acres of land identified on the map as “Bu-
4 reau of Land Management proposed transfer to Na-
5 tional Park Service” is transferred from the Director
6 of the Bureau of Land Management to the Director
7 of the National Park Service, to be administered as
8 part of the National Recreation Area.

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

18 (c) POTENTIAL LAND EXCHANGE.—

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

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

4 (A) may be exchanged by the Secretary for
5 private land described in section 402(c)(5)—

6 (i) subject to a conservation easement
7 remaining on the transferred land, to pro-
8 tect the scenic resources of the transferred
9 land; and

10 (ii) in accordance with the laws (in-
11 cluding regulations) and policies governing
12 National Park Service land exchanges; and

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

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

21 **SEC. 404. GENERAL MANAGEMENT PLAN.**

22 Not later than 3 years after the date on which funds
23 are made available to carry out this title, the Director of
24 the National Park Service, in consultation with the Com-
25 missioner of Reclamation, shall prepare a general manage-

1 ment plan for the National Recreation Area in accordance
2 with section 100502 of title 54, United States Code.

3 **SEC. 405. BOUNDARY SURVEY.**

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

 Passed the House of Representatives October 31,
2019.

Attest:

Clerk.

116TH CONGRESS
1ST Session

H. R. 823

AN ACT

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